

Ruth O. Blakeslee, of Pennsylvania, Chief, Regulations and Procedure Division, Bureau of Public Assistance.

Thomas C. Broadaway, of Arkansas, senior administration officer.

Leonard J. Calhoun, of Mississippi, assistant general counsel.

John R. Campbell, Jr., of Massachusetts, regional representative, Bureau of Federal Old-Age Benefits.

John J. Corson, of Virginia, assistant executive director. James S. Douglass, of Louisiana, technical adviser on motion pictures.

Thomas H. Eliot, of Massachusetts, general counsel.

Merton L. Emerson, of Massachusetts, Chief, Coordinating and Review Division.

Thomas I. Emerson, of the District of Columbia, principal attorney.

Isidore S. Falk, of Connecticut, principal medical economist.

Joseph L. Fay, of Massachusetts, technical adviser on machine methods.

William M. Galvin, of Maryland, senior technical adviser.

Walter Gellhorn, of New York, regional attorney, New York, N. Y.

John F. Hardy, of Massachusetts, regional attorney, Boston, Mass.

S. Park Harman, of New York, regional unemployment compensation representative.

Gladys A. Harrison, of Minnesota, regional attorney, region VIII, Minneapolis, Minn.

LeRoy Hodges, of Virginia, Director of Bureau of Federal Old-Age Benefits.

Jane M. Hoey, of New York, Director, Bureau of Public Assistance.

Robert E. Huse, of Massachusetts, Associate Director, Bureau of Informational Service.

Jesse O. Irvin, of Georgia, Chief, Press Service Division.

Helen R. Jester, of California, Chief, Public Assistance Statistics Division.

Curtis E. Lakeman, of Connecticut, Chief of Publications Division.

Bernice Lotwin, of Wisconsin, principal attorney.

Geoffrey May, of Maryland, Associate Director, Bureau of Public Assistance.

Elliott H. Moyer, of Michigan, senior attorney.

Merrill G. Murray, of Minnesota, Chief, Division of Legislative Aid.

Edward J. McCormack, of Tennessee, special assistant to Board.

Joseph E. McElvain, of New York, senior attorney.

Rose J. McHugh, of New York, Chief, Division of Administrative Surveys.

Harold P. Packer, of New York, senior attorney.

Louis Resnick, of New York, Director, Informational Service.

Mary Ross, of New York, senior social economist.

A. Melvin Sims, of New York, principal attorney.

A. Delafield Smith, of New York, principal attorney.

Jack B. Tate, of Tennessee, assistant general counsel.

James Guy Tucker, of Arkansas, constructive accountant.

Agnes Van Driel, of Illinois, Chief, Division of Technical Training.

R. Gordon Wagenet, of Connecticut, Director, Bureau of Unemployment Compensation.

Norman J. Ware, of Connecticut, senior economist.

Sue S. White, of Tennessee, senior attorney.

Leonard J. Wilbert, of Wisconsin, constructive accountant.

Alanson W. Willcox, of the District of Columbia, assistant general counsel.

Edward B. Williams, of Arkansas, principal attorney.

Marie R. Wing, of Ohio, regional attorney, region V—Cleveland, Ohio.

COAST GUARD

Albert A. Lawrence to be a professor (temporary), with the rank of lieutenant, in the Coast Guard of the United States, to take effect from date of oath.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 1 (legislative day of June 15), 1937

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY TO COSTA RICA

William H. Hornibrook to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Costa Rica.

CIVILIAN CONSERVATION CORPS

Robert Fechner to be Director of the Civilian Conservation Corps.

HOUSE OF REPRESENTATIVES

THURSDAY, JULY 1, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Eternal God, our Father, without whose guidance our labor is useless and our search is vain, draw near to us. We ask Thee to invigorate our counsels and direct our inquiries that by due diligence and discernment we may be wise unto the claims our country has laid upon us. We pray Thee to lift us above all suspicion and distrust and hallow our deliberations with Thy blessing. Do Thou inspire us with high standards and wholesome ideals which will deepen our desire for purity, unselfishness, and sincerity. May we labor with singleness of heart as those who realize that their tasks are measured by the years. Our Heavenly Father, may the humblest cottage and the commonplace things of human life stand forth in the victory of day where the shadows are doomed because the light has come. In the blessed name of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

JUDICIARY COMMITTEE

Mr. CHAMPION. Mr. Speaker, I am directed by the Committee on the Judiciary to ask unanimous consent that that committee may be permitted to sit for the remainder of this week during the sessions of the House.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

RETIREMENT OF EMPLOYEES IN THE CIVIL SERVICE AND IN CERTAIN POSITIONS IN THE LEGISLATIVE BRANCH

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2901) to amend the act of May 29, 1930, for the retirement of employees in the classified civil service and in certain positions in the legislative branch of the Government to include all other employees in the legislative branch, with Senate amendments thereto, and agree to the Senate amendments.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, as I understand, this extends certain privileges to the employees of the legislative branch of the Government?

Mr. RAMSPECK. That was provided by the House bill. The Senate put in an amendment extending the benefits also to the judicial employees of the Government. I have in my hand a letter from the Attorney General stating he has no objection to the inclusion of the judicial employees. The gentleman will understand this is not mandatory. It is simply a permissive bill.

Mr. MARTIN of Massachusetts. The minority conferees are in accord?

Mr. RAMSPECK. I have spoken to the gentlewoman from Massachusetts, and I think she is in accord with the action I am seeking to have taken.

Mrs. ROGERS of Massachusetts. I think the bill is in satisfactory form. Certain changes were made in reference to Senate employees.

Mr. RAMSPECK. The Senate employees are in a little different position than employees of the House in that they do not pay any deductions into the fund until they have served 15 years, but if they want to avail themselves of the act at that time they have to pay for all of their previous service.

Mr. MARTIN of Massachusetts. The Senate always wants a little edge on the House?

Mr. RAMSPECK. Yes; they insist on that, and as long as it did not affect the House employees, I agreed to the amendment.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. RAMSPECK]?

There was no objection.

The Clerk read the Senate amendments, as follows:

Page 1, line 3, strike out "349" and insert "468."

Page 1, line 7, after "branch", insert: "and all officers and employees of any of the courts of the United States who are not entitled to the benefits of any other retirement act whose tenure of employment is not intermittent nor of uncertain duration."

Page 2, line 3, after "be", insert: "and shall not be applicable to any officer or employee of any court of the United States who is brought within its scope by section 1 of this act until such officer or employee gives notice in writing to the disbursing officer by whom the salary of such officer or employee is paid."

Page 2, line 9, after "entrance", insert: "Provided, That in the case of any such employee whose salary or any part thereof is paid by the disbursing officer of the Senate, such notice may be given at any time, and such employee shall come under the provisions of such act of May 29, 1930, at the beginning of the sixth month after the giving of such notice."

Page 2, after line 9, insert:

"No such employee whose salary or any part thereof is paid by the disbursing officer of the Senate shall make any deposit required by section 9, or any redeposit required by subsection (b) of section 12, of such act of May 29, 1930, and there shall not be deducted and withheld from the basic salary, pay, or compensation of any such employee the sum required to be deducted and withheld by section 10 of such act of May 29, 1930, unless and until such employee shall have completed 15 years of service: *Provided*, That before any such employee may derive any of the benefits provided by such act of May 29, 1930, he shall be required to deposit an amount equal to the following sums: (1) The sum which would have been deducted and withheld from his basic salary, pay, or compensation but for the foregoing provisions of this paragraph, together with interest on such sum computed at the rate of 4 percent per annum compounded on June 30 of each fiscal year; (2) any sum required to be deposited under the provisions of section 9 of such act of May 29, 1930; and (3) any sum required to be redeposited under the provisions of subsection (b) of section 12 of such act of May 29, 1930: *Provided further*, That should any such employee who shall have served for a total period of not less than 5 years become totally disabled for useful and efficient service, within the meaning of section 6 of such act of May 29, 1930, before completing 15 years of service, he shall be entitled to the benefits provided by such section 6, upon deposit of the amount required to be deposited under the preceding proviso."

Page 2, lines 13 and 14, strike out "employee in the legislative branch" and insert "officer or employee."

Page 2, line 15, after "act", insert: "nor hereafter to employees of the office of the Architect of the Capitol."

The Senate amendments were agreed to, and a motion to reconsider was laid on the table.

RREREERENCE OF CERTAIN BILLS

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent that the bill (H. R. 296) to reclassify the salaries of employees in the custodial service of the Post Office Department of the United States, the bill (H. R. 2686) to provide automatic increases in compensation to employees of the custodial service of the United States, and the bill (H. R. 2687) to reclassify the compensation of head charwoman and charwoman in the custodial service of the Post Office Department of the United States be withdrawn from the Committee on the Civil Service and referred to the Committee on the Post Office and Post Roads.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. COLDEN and Mr. ECKERT asked and were given permission to extend their own remarks in the RECORD.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS. Mr. Speaker, I respectfully direct the attention of the Members of the House to an extension of remarks I will presently ask permission to include in the RECORD today on the subject of sugar and an outline of what has happened under a sound policy as represented by the Jones-Costigan Act after the invalidation of the processing taxes and benefit payments by the Supreme Court, through the activities of certain lobbyists.

Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. HONEYMAN. Mr. Speaker, I ask unanimous consent that on Wednesday next, after the disposition of business on the Speaker's desk and special orders previously made, the gentleman from Pennsylvania [Mr. ALLEN] may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

GOLDEN GATE INTERNATIONAL EXPOSITION

Mr. WELCH. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Joint Resolution 88, as amended, authorizing Federal participation in the Golden Gate Exposition to be held in 1939.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to find out how much this fair is going to cost.

The SPEAKER. The Chair cannot inform the gentleman.

Mr. RICH. I would like to have the gentleman from California [Mr. WELCH] answer the question.

Mr. WELCH. Mr. Speaker, the bill just referred to, I may say to the gentleman from Pennsylvania, provides for an appropriation of \$1,500,000.

The original bill as introduced provided for an appropriation of \$3,000,000, but by reason of the many demands on the Government and the gentleman's insistence on holding down appropriations, we cut the appropriation from \$3,000,000 to \$1,500,000.

Mr. RICH. This exposition comes in the same year we are having the world's fair in New York. Considerable Federal funds are being spent during that year for the fair in New York City. Is it not possible we might have this fair in some other year, as we get requests annually for appropriation for fairs? Then we would not have two in the same year, one in California and one in New York. The people may get kind of dizzy going back and forth.

Mr. WELCH. I wish to state to the gentleman we all hoped this could be avoided but it developed it was impossible. Both expositions must go on. The President of the United States last year sent out invitations to the nations of the world, 59 in all, to participate in both expositions. Predicated on that, millions of dollars have been spent by New York and by San Francisco. Here is a picture of the San Francisco exposition site, which is on a man-made island in the middle of San Francisco Bay. This island has been reclaimed at a cost of a vast sum of money. The State of California has already appropriated \$5,000,000 for State participation, and the people of San Francisco have contributed \$7,500,000 up to this time. I may say to the gentleman we are too far advanced to defer the exposition another year. It is impossible. There has been a mutual understanding between New York and San Francisco that there will be no conflict between the two expositions. The gentleman knows, of course, that New York and San Francisco are 3,000 miles apart. An exposition is going on in Paris at the present time. There is not much difference in distance between New York to Paris and from New York to San Francisco. This is a large country of ours.

Mr. RICH. I may say to the gentleman that you wanted \$3,000,000 and now you are asking for \$1,500,000. What assurance have we you will not be back for the other \$1,500,000 before the fair is over?

Mr. WELCH. I can say to the gentleman I will not be back asking for it.

Mr. RICH. How about the other Members of the California delegation?

Mr. WELCH. I do not think so. However, I cannot speak for the other Members.

Mr. RICH. I hope you have a good time in California.

Mr. WELCH. I thank the gentleman.

Mr. RICH. And we might say, "California, here we come." [Laughter.]

Mr. WELCH. Mr. Speaker, on November 16, 1936, the President, pursuant to Senate Joint Resolution 226, now Public, No. 107, Seventy-fourth Congress, invited 59 countries of the world to attend and participate in the Golden Gate International Exposition. Many foreign countries have accepted the invitation, particularly Central America, South America, Hawaii, the Philippine Islands, the Orient, Australia, and New Zealand.

Twenty-three States have enacted legislation or have legislation pending providing for participation, as have European countries and nations of the Pacific, while the requests for concession space far exceed the number that can be accepted.

The exposition will celebrate the completion of the world's two largest bridges across the San Francisco Bay, the inauguration of trans-Pacific air service that brings the Orient to our very door, the progress of the nations bordering the Pacific, and the economic and social development of the 11 States constituting America's western empire.

The site of the exposition is a man-made island, 400 acres in size, in the center of San Francisco Bay. Building this island involves the construction of a 16,000-foot sea wall, containing 220,000 tons of rock, and the pumping of 20,000,000 cubic yards of sand by nine giant dredges. The administration building and 2 exhibit palaces are one-half completed, and 12 exhibit buildings, ferry terminals, and roadways are now under contract. At the close of the exposition, the island will be cleared of structures, with the exception of the \$800,000 administration building and two hangars, each costing \$400,000, and turned into an airport and seaplane base, with legal and statutory obligations giving both Army and Navy access and use of this land, which will become part of our national defense.

A minimum attendance of 20,000,000 persons is anticipated. This is being conservative when it is considered that there are 3,000,000 persons located within 1 hour of the exposition gates and 9,000,000 population in the three Pacific Coast States. The sum to be paid in taxes to the Government is estimated at \$30,000,000, more than 15 times the amount of the Federal appropriation.

At no point is San Francisco stressing selfish advantage or contemplating purely local profit. The whole of California, Pacific Coast and Rocky Mountain States, Central America, South America, Hawaii, the Philippines, the Orient, Australia, and New Zealand have all been joined as cohorts.

This resolution has the approval of the Departments of State, Commerce, Agriculture, Treasury, Interior, and War, and the Comptroller General of the United States.

The original resolution introduced by me provided for an appropriation of \$3,000,000. This sum was reduced upon the suggestion of the Bureau of the Budget in order to conform with the financial policy of the President to \$1,750,000. By agreement, a further reduction was made, reducing the amount to \$1,500,000. The State of California recently appropriated \$5,000,000 toward the exposition, and the people of San Francisco raised \$7,500,000 for this purpose.

Primarily and essentially, this great exposition is for the purpose of emphasizing the amazing progress of the Western Hemisphere and laying the cornerstone of a new Pacific empire.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

Whereas there is to be held in the city of San Francisco during the year 1939 a world's fair and celebration commemorating the completion of the San Francisco-Oakland Bridge and the Golden Gate Bridge, and designed to gather, arrange, and exhibit the varied cultures of the countries tributary to the Pacific Ocean and the origins, progress, and accomplishments in science, the arts, education, industry, business, and transportation of the Pacific area of the United States, and the nations of the world;

Whereas a site for the exposition, an island of 400 acres, municipally owned and located in the center of San Francisco Bay, is now nearing completion, and the San Francisco Bay Exposition, Inc., will expend not less than \$24,500,000 on its improvement; said site, upon the close of the exposition to become a municipal airport serving the entire metropolitan San Francisco Bay district, and forming an adjunct of vast importance to national defense; and

Whereas such world fair and celebration are worthy and deserving of the support and encouragement of the United States; and the United States has aided and encouraged such world's fairs and celebrations in the past: Therefore be it

Resolved, etc., That there is hereby established a Commission, to be known as the United States Golden Gate International Exposition Commission and to be composed of the Secretary of Agriculture, the Secretary of Commerce and the Secretary of Labor; which Commission shall serve without additional compensation and shall represent the United States in connection with the holding of a world's fair and celebration in the city of San Francisco during the year 1939.

Sec. 2. There shall be a United States Commissioner for the Golden Gate International Exposition, who shall be appointed by the President, and who shall receive compensation at the rate of \$10,000 per annum, and one Assistant Commissioner for said Golden Gate International Exposition, who shall be appointed by the Commissioner with the advice and approval of the Commission herein designated and shall receive compensation not to exceed \$7,500 per annum. The salary and expenses of the Commissioner, the Assistant Commissioner, and such staff as the Commission may require, shall be paid out of the funds authorized to be appropriated by this joint resolution, for such period prior to the opening of the Golden Gate International Exposition as the Commission may determine, for the duration of the Golden Gate International Exposition, and for not more than 6 months after the official closing thereof.

Sec. 3. The Commission shall prescribe the duties of the United States Commissioner and shall delegate such powers and functions to him as it shall deem advisable, in order that there may be exhibited at the Golden Gate International Exposition by the Government of the United States, its executive departments, independent offices, and establishments, such articles and materials and documents and papers as may relate to the growth and development of civilization on the American continents from the first arrival of man to the present day, and such as illustrate the function and administrative faculty of the Government in the advancement of industry, science, invention, agriculture, the arts, and peace, and demonstrating the historic growth and nature of American institutions, particularly as regards their adaptation to the needs of the people.

Sec. 4. In carrying out the purposes of this joint resolution, the Commission is authorized—

(a) To appoint, without regard to the civil service laws and regulations and the Classification Act of 1923, as amended, such clerks, stenographers, and other assistants, and to engage by contract or otherwise such other services as may be necessary in connection with the performance of the functions of the Commission, including the preparation of exhibits plans.

(b) To erect such building or buildings, or other structures, and to provide for the landscaping of the site or sites thereof: *Provided*, That in the construction of buildings and exhibits requiring skilled and unskilled labor, the prevailing rate of wages, as provided in the act of March 3, 1931 (46 Stat. 1494), shall be paid; to rent such space in the District of Columbia or elsewhere, without regard to section 322 of the act of June 30, 1932 (47 Stat. 412), as the Commission may deem necessary; and to provide for the decoration and maintenance of buildings, structures, sites, and grounds during the period deemed necessary by the Commission.

(c) To contract with the San Francisco Bay Exposition, Inc., without advertising, for the designing and erection of such building or buildings, structure or structures, the rental of such space, and for such other services as the Commission shall deem advisable to be contracted for in that manner.

(d) To use funds appropriated under authority of the joint resolution to pay salaries of employees of other Government agencies detailed or loaned for duty with the Commission at rates not in excess of the rates received in the agency from which detailed or loaned; to purchase books of reference, newspapers, and periodicals, payment for which, and for telephone service, rents, and similar items, may be made in advance; to purchase, hire, maintain, repair, and operate passenger-carrying vehicles for use of the Commissioner and Assistant Commissioner without regard to the statutory restrictions upon the price for new cars or

the amounts which may be expended for maintenance, repair, and operation; to have printing and binding done elsewhere than at the Government Printing Office in the discretion of the Commission; to entertain distinguished guests; to provide for reimbursement of expenses of travel by airplane when deemed necessary notwithstanding the cost may exceed the cost by rail; to provide for insurance on privately owned exhibits loaned to the Commission; to purchase ice and drinking water for use in buildings and offices; to purchase uniforms for guards and attendants; and to insure such other expenses as may be deemed necessary to the fulfillment of the purposes of this joint resolution.

(e) To allot funds appropriated for the purposes of this resolution to any executive department, independent office, or establishment of the Government with the consent of the head thereof, for direct expenditure in executing the duties or functions delegated by the Commission.

(f) To delegate any of its powers and authority, in its discretion, and any power or authority vested in the Commissioner by this resolution or delegated to him may be delegated or sub-delegated by him to the Assistant Commissioner or to any other person or persons in the employ of the Commission or detailed to it.

Sec. 5. The heads of the various executive departments and independent offices and establishments of the Government are authorized to cooperate with said Commissioner in the procurement, installation, and display of exhibits, and to lend to the Golden Gate International Exposition, with the knowledge and consent of said Commissioner, such articles, specimens, and exhibits as said Commissioner shall deem to be in the interest of the United States and in keeping with the purposes of such world's fair and celebration, to be placed with the science or other exhibits to be shown under the auspices of such Golden Gate International Exposition, to appoint without regard to civil-service laws and regulations and the Classification Act of 1923, as amended, such draftsmen and other assistants as may be necessary, to contract for labor or other services as shall be deemed necessary, and to designate officials or employees of their departments or independent offices and establishments to assist said Commissioner. At the close of the world's fair, or when the connection of the Government of the United States therewith ceases, said Commissioner shall cause all such property to be returned to the respective departments and independent offices and establishments concerned, and any expenses incident to the restoration, modification, and revision of such property to a condition which will permit its use at subsequent expositions and fairs, and for the continued employment of personnel necessary to close out the fiscal and other records and prepare the required reports of the participating organizations, may be paid from the appropriation authorized herein; and if the return of such property is not feasible, he may, with the consent of the Commission and the departments or independent offices and establishments concerned, make such disposition thereof as he may deem advisable and account therefor.

Sec. 6. The sum of \$1,500,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of this joint resolution, and shall remain available until expended; except that, upon the termination of the Commission, any unexpended or unobligated balances shall be covered back into the Treasury of the United States. And, subject to the provisions of this joint resolution, the Commission is authorized to erect such building or buildings, or other structures, for its own use, and such other buildings and structures as will further the trade and good will between the United States and the other nations of the world, and to provide for the landscaping of the site or sites thereof; to rent such space without regard to the provisions of section 322 of the act of June 30, 1932 (47 Stat. 412), as the Commission may deem adequate to carry out effectively the provisions of this joint resolution; to provide for the decorations of such buildings or structures, and for the proper maintenance of such buildings or structures, sites, and grounds during the period deemed necessary by the Commission: *Provided*, That the facilities of the Public Buildings Branch, Procurement Division, Treasury Department, shall be utilized in the preparation of plans, drawings, designs, specifications, and estimates, the execution of contracts, and the supervision of construction in connection with any buildings or structures erected for Federal exhibits and for other purposes: *Provided further*, That funds designated for the foregoing construction purposes shall be available for transfer to and expenditure by the Procurement Division, Treasury Department, to the extent and at such times as may be deemed necessary by the Director of Procurement to permit him to carry out the work herein designated. The Commission may contract with the San Francisco Bay Exposition, Inc., sponsors of the Golden Gate International Exposition, for improvement or improvements, the rental of such space and for other services as shall be deemed necessary and proper. The appropriation authorized by this joint resolution shall be available for the operation of the building or buildings, structure or structures, improvement or improvements, including light, heat, water, gas, maid, janitor, and other required services; for the rental of space in the District of Columbia or elsewhere; for the selection, purchase, preparation, assembling, transportation, installation, arrangement, repair, safekeeping, exhibition, demonstration, and return of such articles and materials as the Commission may decide shall be included in such Government exhibits and in the exhibits of the Golden Gate International Exposition; for the purchase of uniforms, for the compensation of said Commissioner, Assistant Commissioner, and

other officers and employees of the Commission in the District of Columbia and elsewhere, for the payment of salaries of officers and employees of the Government employed by or detailed for duty with the Commission, for actual traveling expenses, including travel by air, water, and automobile, and for per diem in lieu of actual subsistence at not to exceed \$5 per day: *Provided*, That no Government official or employee detailed for duty with the Commission shall receive a salary in excess of the rate which he has been receiving in the department or branch where regularly employed, plus such reasonable allowance to officers and enlisted men of the armed forces for additional uniforms and equipment required by participation in the Golden Gate International Exposition, including alteration, laundering, cleaning, and pressing thereof, as deemed proper by the Commissioner; for telephone service, purchase or rental of furniture and equipment, stationery and supplies, typewriting, adding, duplicating, and computing machines, their accessories and repairs, books of reference and periodicals, uniforms, maps, reports, documents, plans, specifications, manuscripts, newspapers, and all other appropriate publications, and ice and electric refrigeration and drinking water for office purposes: *Provided further*, That payment for telephone service, rents, subscriptions to newspapers and periodicals, and other similar purposes, may be made in advance; for the purchase and hire of passenger-carrying automobiles, their maintenance, repair, and operation, for the official use of said Commissioner and Assistant Commissioner in the District of Columbia or elsewhere as required; for printing and binding; for entertainment of distinguished visitors; and for all other expenses as may be deemed necessary by the Commission to fulfill properly the purposes of this joint resolution. All purchases, expenditures, and disbursements of any moneys made available by authority of this joint resolution shall be made under the direction of the Commission: *Provided further*, That the Commission, without release of responsibility, as hereinbefore stipulated, may delegate these powers and functions: *Provided further*, That the Commission or its delegated representatives may allot funds appropriated herein to any executive department, independent office, or establishment of the Government with the consent of the heads thereof, for direct expenditure by such executive department, independent office, or establishment, for the purpose of defraying any proper expenditure which may be incurred by such executive department, independent office, or establishment in executing the duties and functions delegated by the Commission. All accounts and vouchers covering expenditures shall be approved by said Commissioner or by such assistants as the Commission may designate, except for such allotments as may be made to the various executive departments, independent offices, and establishments for direct expenditure; but these provisions shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit, and permit any obligations to be incurred in excess of the amount authorized to be appropriated herein: *And provided further*, That in the construction of buildings and exhibits requiring skilled and unskilled labor, the prevailing rate of wages, as provided in the act of March 3, 1931, as amended, shall be paid. Subject to the provisions of this joint resolution, the Commission is authorized to make any expenditures or allotments deemed necessary by it to fulfill properly the purposes of this joint resolution.

Sec. 7. The Commissioner, with the approval of the Commission, may receive contributions from any source to aid in carrying out the purposes of this joint resolution, but such contributions shall be expended and accounted for in the same manner as the funds authorized to be appropriated by this joint resolution. The Commissioner is also authorized to receive contributions of material, or to borrow material or exhibits, and to accept the services of any skilled and unskilled labor that may be available through State or Federal relief organizations, to aid in carrying out the general purposes of this joint resolution. At the close of the world's fair and celebration or when the connection of the Government of the United States therewith ceases, the Commissioner shall dispose of any such portion of the material contributed as may be unused, and return such borrowed property; and, under the direction of the Commission, dispose of any buildings or structures which may have been constructed and account therefor: *Provided*, That all disposition of materials, property, buildings, etc., shall be at public sale to the highest bidder, and the proceeds thereof shall be covered into the Treasury of the United States: *Provided further*, That the Commission may, if it deems it desirable and in the public interest, transfer without consideration the title to the Federal Exhibits Building erected or constructed to the city of San Francisco.

The Commissioner, with the approval of the Commission and in cooperation with the Secretary of the Interior, shall make provision for participation in the exposition by the Indian citizens of the United States. For this purpose the Commission is authorized to set aside from the appropriation herein authorized so much as may be necessary for the erection of buildings, the employment of supervisory and other personnel without regard to the civil-service laws and regulations and the Classification Act of 1923, as amended, and for all other expenses incident thereto, including the classes authorized under section 4 of this joint resolution.

Sec. 8. It shall be the duty of the Commission to transmit to Congress, within 6 months after the close of the world's fair, a detailed statement of all expenditures and such other reports as may be deemed proper, which reports shall be prepared and arranged with a view to concise statement and convenient reference.

Upon the transmission of such report to Congress the Commission established by and all appointments made under the authority of this joint resolution shall terminate.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Strike out all after the enacting clause and insert:

"That there is hereby established a Commission, to be known as the United States Golden Gate International Exposition Commission and to be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, three Members of the House to be appointed by the Speaker of the House of Representatives and three Members of the Senate to be appointed by the President of the Senate; which Commission shall serve without additional compensation and shall represent the United States in connection with the holding of a world's fair and celebration in the city of San Francisco during the year 1939.

"Sec. 2. There shall be a United States Commissioner for the Golden Gate International Exposition, who shall be appointed by the President, and who shall receive compensation at the rate of \$10,000 per annum, and one Assistant Commissioner for said Golden Gate International Exposition, who shall be appointed by the Commissioner with the advice and approval of the Commission herein designated and shall receive compensation not to exceed \$7,500 per annum. The salary and expenses of the Commissioner, the Assistant Commissioner, and such staff as the Commission may require, shall be paid out of the funds authorized to be appropriated by this joint resolution, for such period prior to the opening of the Golden Gate International Exposition as the Commission may determine, for the duration of the Golden Gate International Exposition, and for not more than 6 months after the official closing thereof.

"Sec. 3. The Commission shall prescribe the duties of the United States Commissioner and shall delegate such powers and functions to him as it shall deem advisable, in order that there may be exhibited at the Golden Gate International Exposition by the Government of the United States, its executive departments, independent offices, and establishments, such articles and materials and documents and papers as may relate to the growth and development of civilization on the American continents and such as illustrate the function and administrative faculty of the Government in the advancement of industry, science, invention, agriculture, the arts, and peace, and demonstrating the historic growth and nature of American institutions, particularly as regards their adaptation to the needs of the people.

"Sec. 4. In carrying out the purposes of this joint resolution, the Commission is authorized—

"(a) To appoint, without regard to the civil-service laws and regulations and the Classification Act of 1923, as amended, such clerks, stenographers, and other assistants, and to engage by contract or otherwise such other services as may be necessary in connection with the performance of the functions of the Commission, including the preparation of exhibits plans: *Provided, however,* That for similar services, the pay shall not be in excess of that provided by the Classification Act of 1923, as amended.

"(b) To erect, on land owned by the city and county of San Francisco, such building or buildings, or other structures, and to provide for the landscaping of the site or sites thereof: *Provided,* That in the construction of buildings and exhibits requiring skilled and unskilled labor, the prevailing rate of wages, as provided in the act of March 3, 1931 (46 Stat. 1494), shall be paid; to rent such space in the District of Columbia or elsewhere, without regard to section 322 of the act of June 30, 1932 (47 Stat. 412), as the Commission may deem necessary; and to provide for the decoration and maintenance of buildings, structures, sites, and grounds during the period deemed necessary by the Commission.

"(c) To use funds appropriated under authority of the joint resolution to pay salaries of employees of other Government agencies detailed or loaned for duty with the Commission at rates not in excess of the rates received in the agency from which detailed or loaned; to purchase books of reference, newspapers, and periodicals, payment for which, and for telephone service, rents, and similar items, may be made in advance; to purchase, hire, maintain, repair, and operate passenger-carrying vehicles for use of the Commissioner and Assistant Commissioner without regard to the statutory restrictions upon the price for new cars or the amounts which may be expended for maintenance, repair, and operation; to have printing and binding done elsewhere than at the Government Printing Office in the discretion of the Commission; to entertain distinguished guests; to provide for reimbursement of expenses of travel by airplane when deemed necessary notwithstanding the cost may exceed the cost by rail; to provide for insurance on privately owned exhibits loaned to the Commission; to purchase ice and drinking water for use in buildings and offices; to purchase uniforms for guards and attendants; and to incur such other expenses as may be deemed necessary to the fulfillment of the purposes of this joint resolution.

"(d) To allot funds appropriated for the purposes of this resolution to any executive department, independent office, or establishment of the Government with the consent of the head thereof, for direct expenditure in executing the duties or functions delegated by the Commission.

"(e) To delegate any of its powers and authority, in its discretion, and any power or authority vested in the Commissioner by this resolution or delegated to him may be delegated or subdelegated by him to the Assistant Commissioner or to any other person or persons in the employ of the Commission or detailed to it.

"Sec. 5. The heads of the various executive departments and independent offices and establishments of the Government are authorized to cooperate with said Commissioner in the procurement, installation, and display of exhibits, and to lend to the San Francisco Bay Exposition, Inc., sponsors of the Golden Gate International Exposition, with the knowledge and consent of said Commissioner, such articles, specimens, and exhibits as said Commissioner shall deem to be in the interest of the United States and in keeping with the purposes of such world's fair and celebration, to be placed with the science or other exhibits to be shown under the auspices of such Golden Gate International Exposition, to appoint without regard to civil-service laws and regulations and the Classification Act of 1923, as amended, such draftsmen and other assistants as may be necessary, to contract for labor or other services as shall be deemed necessary, and to designate officials or employees of their departments or independent offices and establishments to assist said Commissioner. At the close of the world's fair, or when the connection of the Government of the United States therewith ceases, said Commissioner shall cause all such property to be returned to the respective departments and independent offices and establishments concerned, and any expenses incident to the restoration, modification, and revision of such property to a condition which will permit its use at subsequent exhibitions and fairs, and for the continued employment of personnel necessary to close out the fiscal and other records and prepare the required reports of the participating organizations, may be paid from the appropriation authorized herein; and if the return of such property is not feasible, he may, with the consent of the Commission and the departments or independent offices and establishments concerned, make such disposition thereof as he may deem advisable and account therefor.

"Sec. 6. The sum of \$1,500,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of this joint resolution, and shall remain available until expended; except that, upon the termination of the Commission, any unexpended or unobligated balances shall be covered back into the Treasury of the United States; and, subject to the provisions of this joint resolution, the Commission is authorized to erect, on land owned by the city and county of San Francisco, such building or buildings, or other structures, for its own use, and such other buildings and structures as will further the trade and good will between the United States and the other nations of the world, and to provide for the landscaping of the site or sites thereof; to rent such space without regard to the provisions of section 322 of the act of June 30, 1932 (47 Stat. 412), as the Commission may deem adequate to carry out effectively the provisions of this joint resolution; to provide for the decorations of such buildings or structures, and for the proper maintenance of such buildings or structures, sites, and grounds during the period deemed necessary by the Commission: *Provided,* That the facilities of the Public Buildings Branch, Procurement Division, Treasury Department, may be utilized in the preparation of plans, drawings, designs, specifications, and estimates, the execution of contracts, and the supervision of construction in connection with any buildings or structures erected for Federal exhibits and for other purposes: *Provided further,* That funds designated for the foregoing construction purposes may be available for transfer to and expenditure by the Procurement Division, Treasury Department, to the extent and at such times as may be deemed necessary by the Director of Procurement to permit him to carry out such work as the Commission shall deem advisable to be contracted for in that manner. The appropriation authorized by this joint resolution shall be available for the operation of the building or buildings, structure or structures, improvement or improvements, including light, heat, water, gas, maid, janitor, and other required services; for the rental of space in the District of Columbia or elsewhere; for the selection, purchase, preparation, assembling, transportation, installation, arrangement, repair, safekeeping, exhibition, demonstration, and return of such articles and materials as the Commission may decide shall be included in such Government exhibits and in the exhibits of the Golden Gate International Exposition; for the purchase of uniforms, for the compensation of said Commissioner, Assistant Commissioner, and other officers and employees of the Commission in the District of Columbia and elsewhere, for the payment of salaries of officers and employees of the Government employed by or detailed for duty with the Commission, for actual traveling expenses, including travel by air, water, and automobile, and for per diem in lieu of actual subsistence at not to exceed \$5 per day: *Provided further,* That no Government official or employee detailed for duty with the Commission shall receive a salary in excess of the rate which he has been receiving in the department or branch where regularly employed, plus such reasonable allowance to officers and enlisted men of the armed forces for additional uniforms and equipment required by participation in the Golden Gate International Exposition, including alterations, laundering, cleaning, and pressing thereof, as deemed proper by the Commissioner; for telephone service, purchase or rental of furniture and equipment, stationery, and supplies, typewriting, adding, duplicating, and computing machines, their accessories and repairs, books of reference and periodicals, uniforms, maps, reports, documents, plans, specifications, manuscripts, newspapers, and all other appropriate publications,

and ice and electric refrigeration and drinking water for office purposes: *Provided further*, That payment for telephone service, rents, subscriptions to newspapers and periodicals, and other similar purposes, may be made in advance; for the purchase and hire of passenger-carrying automobiles, their maintenance, repair, and operation, for the official use of said Commissioner and Assistant Commissioner in the District of Columbia or elsewhere as required; for printing and binding; for entertainment of distinguished visitors; and for all other expenses as may be deemed necessary by the Commission to fulfill properly the purposes of this joint resolution. All purchases, expenditures, and disbursements of any moneys made available by authority of this joint resolution shall be made under the direction of the Commission: *Provided further*, That the Commission, without release of responsibility, as hereinbefore stipulated, may delegate these powers and functions: *Provided further*, That the Commission or its delegated representatives may allot funds appropriated herein to any executive department, independent office, or establishment of the Government with the consent of the heads thereof, for direct expenditure by such executive department, independent office, or establishment, for the purposes of defraying any proper expenditure which may be incurred by such executive department, independent office, or establishment in executing the duties and functions delegated by the Commission. All accounts and vouchers covering expenditures shall be approved by said Commissioner or by such assistants as the Commission may designate, except for such allotments as may be made to the various executive departments, independent offices, and establishments for direct expenditure; but these provisions shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit, and permit any obligations to be incurred in excess of the amount authorized to be appropriated herein: *And provided further*, That in the construction of buildings and exhibits requiring skilled and unskilled labor, the prevailing rate of wages, as provided in the act of March 3, 1931, as amended, shall be paid. Subject to the provisions of this joint resolution, the Commission is authorized to make any expenditures or allotments deemed necessary by it to fulfill properly the purposes of this joint resolution.

"Sec. 7. The Commissioner, with the approval of the Commission, may receive contributions from any source to aid in carrying out the purposes of this joint resolution, but such contributions shall be expended and accounted for in the same manner as the funds authorized to be appropriated by this joint resolution. The Commissioner is also authorized to receive contributions of material, or to borrow material or exhibits, and to accept the services of any skilled and unskilled labor that may be available through State or Federal relief organizations, to aid in carrying out the general purposes of this joint resolution. At the close of the world's fair and celebration or when the connection of the Government of the United States therewith ceases, the Commissioner shall dispose of any such portion of the material contributed as may be unused, and return such borrowed property; and, under the direction of the Commission, dispose of any buildings or structures which may have been constructed and account therefor: *Provided*, That all disposition of materials, property, buildings, etc., shall be at public sale to the highest bidder, and the proceeds thereof shall be covered into the Treasury of the United States: *Provided further*, That the Commission may, if it deems it desirable and in the public interest, transfer, with or without consideration, the title to the Federal exhibits building or buildings erected or constructed to the city and county of San Francisco.

"The Commissioner, with the approval of the Commission and in cooperation with the Secretary of the Interior, may make provision for participation in the exposition by the Indian citizens of the United States. For this purpose the Commission may allot funds appropriated under authority of this joint resolution as may be necessary for the erection of buildings, the employment of supervisory and other personnel without regard to the civil-service laws and regulations and to fix their salaries in accordance with the Classification Act of 1923, as amended, and for all other expenses incident thereto, as the Commission shall deem advisable to be contracted for in that manner.

"Sec. 8. It shall be the duty of the Commission to transmit to Congress, within 6 months after the close of the world's fair, a detailed statement of all expenditures, and such other reports as may be deemed proper, which reports shall be prepared and arranged with a view to concise statement and convenient reference. Upon the transmission of such report to Congress the Commission established by and all appointments made under the authority of this joint resolution shall terminate."

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. LUCAS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein an address I delivered in Springfield, Ill., last week on the conservation of the migratory waterfowl.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein a brief table.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. TURNER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record by inserting a brief letter and a short article by Mr. J. F. Porter, president of the Tennessee Farm Bureau Federation.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, and I shall not object, may I ask the majority leader if he can give any information as to the probable program for next week? Some Members would like very much to know.

Mr. RAYBURN. On Tuesday of next week the Private Calendar will be called, which will take about an hour. After that there is a possibility there may come up the resolution from the Committee on Rules with respect to some matters in which the gentleman from New York [Mr. BLOOM] is interested. If this is not called up, then the measure regarding the so-called section 213, known as the married woman's clause, will come up. Also, there are rules from the Committee on Rules making in order the consideration of two bills reported by the Committee on Naval Affairs. This is about as far as I know the program for next week.

Mr. MARTIN of Massachusetts. The understanding is that the conference report on the Interior Department appropriation bill will not come up until next week, anyway?

Mr. RAYBURN. The gentleman is correct.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. COCHRAN. I may say for the benefit of the House that the Senate has already passed a resolution which continues the appropriations and lets the departments carry on legally. Therefore there seems to be no reason whatsoever why any conference reports on appropriation bills should be called up until next week.

Mr. RAYBURN. Certainly the conference report on the Interior Department appropriation bill will not come up this week.

Mr. FISH. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. Yes; I yield.

Mr. FISH. May I ask the majority leader if he can inform the House what he has in mind for the balance of the week?

Mr. RAYBURN. This week?

Mr. FISH. No; next week. Some of us are going home for the Fourth, and might like to go on a little fishing trip and possibly stay away a few days. Can the gentleman inform the House what he has in mind for the balance of next week after Tuesday?

Mr. RAYBURN. I thought I had just stated that.

Mr. FISH. No; the gentleman gave us the program for Tuesday.

Mr. RAYBURN. The statement I made a moment ago was that on Tuesday, after the call of the Private Calendar, a rule will be called up making in order the resolution introduced by the gentleman from New York [Mr. BLOOM] with reference to the continuance of the work of the United States Constitution Sesquicentennial Commission. If this rule is not called up, then the so-called married woman's clause measure will be considered that day, otherwise it will go over until Thursday. If the consideration of that measure takes the day, then the two bills from the Committee on Naval Affairs will come up Thursday. Calendar Wednesday will not be set aside.

Mr. FISH. The gentleman does not have in mind the consideration of any essential or important bills for next week?

Mr. RAYBURN. I may say the majority Members would like to be recorded on the so-called married woman's clause measure.

Mr. FISH. That is a matter of opinion, is it not? Some may not want to be recorded.

Mr. RAYBURN. That is the program for next week. I intend to ask unanimous consent that when the House adjourns tomorrow it adjourn to meet on Tuesday next.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee to extend his remarks in the RECORD in the manner indicated?

There was no objection.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow, Friday, it adjourn to meet on Tuesday next.

Mr. RICH. Mr. Speaker, reserving the right to object, I should like to ask the majority leader a question. As I understand it, there is a bill to be brought in here sometime before we take up the Interior Department appropriation bill for the approval of what they call the Big Thompson project in Colorado. Will that measure come up this week?

Mr. RAYBURN. It will not.

Mr. RICH. I do not object, Mr. Speaker.

Mr. TABER. Mr. Speaker, reserving the right to object, I should like to ask the majority leader if it will be the policy to bring up the Interior Department bill before Wednesday next?

Mr. RAYBURN. I think not; and I will state for the RECORD that the Interior Department bill will not come up this week and will not come up on Tuesday of next week.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

RIVERS AND HARBORS BILL

Mr. DRIVER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 241.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 7051, a bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Rivers and Harbors, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

Mr. DRIVER. Mr. Speaker, the purpose of this resolution is to make in order the consideration of the bill H. R. 7051, the river and harbor bill.

This is the first river and harbor bill presented to the House in the past 2 years, and includes 119 projects, located in 17 States and Territories, and two of our island possessions have one each.

The amount involved in the 119 projects is \$31,600,000, and the 119 projects included are practically all projects already adopted by the Congress on which necessary expenditures must be made due to conditions arising during the course of the past 2 years.

This is one of the smallest rivers and harbors authorization bills that has ever been presented to the Congress, and the work is very necessary and essential for the benefit of commerce and transportation, because, as you are aware, navigation very largely enters into all projects included in rivers and harbors activities.

However, the measure involves certain improvements that are to be made in our Pacific islands possessions which are believed to be very highly necessary in order to carry on the policy we have in shaping those islands for any eventuality that may occur.

No part of this authorization is expected to be appropriated this year. This is a future appropriation matter, containing only the authorization, and the improvements

provided for will cover possibly a period of from 4 to 6 years.

I do not believe it is necessary to make any further statement. The rule is an open one, providing for 2 hours of general debate, when the bill will be read and be open to any amendment that is germane to the measure.

Mr. Speaker, I yield 30 minutes to the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Speaker, I have no demands for time, and I am perfectly willing to have the rule adopted at this time.

Mr. DRIVER. Mr. Speaker, I offer an amendment to the resolution.

The Clerk read as follows:

Amendment offered by Mr. DRIVER: After the word "purposes", in line 6, insert "and all points of order against said bill are hereby waived."

Mr. DRIVER. Mr. Speaker, this is merely to insert in the rule a matter that was overlooked.

The amendment was agreed to.

Mr. DRIVER. Mr. Speaker, I move the previous question on the resolution, as amended.

The previous question was ordered.

The resolution was agreed to.

Mr. MANSFIELD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 7051) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7051, the rivers and harbors authorization bill, with Mr. Lucas in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Without objection, the first reading of the bill will be dispensed with.

There was no objection.

Mr. MANSFIELD. Mr. Chairman, the bill before us authorizes the improvement of 119 waterway projects involving a total expenditure for completion of \$31,720,300. The projects are fully described in the report, hence a further detailed description at this time is deemed unnecessary. The improvements recommended in the bill are deemed to be urgent and necessary in the systematic movement of our great and ever-growing commerce. The total expenditure involved is small as compared with that of former river and harbor bills. The last bill of the kind to pass Congress, and which was approved by the President on August 30, 1935, authorized 246 projects, having an aggregate cost to complete of over \$660,000,000.

In the early history of our country the waterways constituted the only practical means of transportation. Great networks of towpath canals were constructed, and every river capable of floating a boat was brought into use in the transportation of freight and passengers. The canals were constructed, dredged, and maintained, at the cost of the respective States or other local interests, and but little if any improvement was given to the rivers and harbors, and none of which was by the Federal Government.

From the beginning of our Government Congress, while not providing the means of transportation, yet recognized the necessity of safeguarding our commerce, as well as of human life. Even back to the first Congress provision was made for the establishment of buoys, lights, and other danger signals. The viewpoint seemed to have been that Congress had constitutional authority to incur the cost of warning the mariner of a dangerous channel in order that he might provide for his own safety, but that it was without constitutional authority to incur the cost of removing those dangers.

In 1808, Albert Gallatin, Secretary of the Treasury, submitted a report recommending expenditures by the Federal Government for internal improvements, including both

roads and waterways. Mr. Jefferson put this recommendation into partial effect in the establishment of the national turnpike, but his successor, Mr. Madison, took a different view of the powers granted by the Constitution, and the program was permitted to "die aborning."

In 1817, Congress passed a bill for internal improvements which included waterways. The last official act of Mr. Madison before retiring from the presidency on March 3, 1817, was to veto this bill. His veto message was as follows:

MARCH 3, 1817.

To the House of Representatives of the United States:

Having considered the bill this day presented to me entitled "An act to set apart and pledge certain funds for internal improvement", and which sets apart and pledges funds "for constructing roads and canals, and improving the navigation of water courses, in order to facilitate, promote, and give security to internal commerce among the several States, and to render more easy and less expensive the means and provisions for the common defense", I am constrained by the insuperable difficulty I feel in reconciling the bill with the Constitution of the United States to return it with that objection to the House of Representatives, in which it originated.

The legislative powers vested in Congress are specified and enumerated in the eighth section of the first article of the Constitution, and it does not appear that the power proposed to be exercised by the bill is among the enumerated powers, or that it falls by any just interpretation within the power to make laws necessary and proper for carrying into execution those or other powers vested by the Constitution in the Government of the United States.

"The power to regulate commerce among the several States" cannot include a power to construct roads and canals, and to improve the navigation of water courses in order to facilitate, promote, and secure such a commerce without a latitude of construction departing from the ordinary import of the terms strengthened by the known inconveniences which doubtless led to the grant of this remedial power to Congress."

Mr. Madison was known as the "Father of the Constitution", and was regarded as our foremost authority upon constitutional questions. While his veto message on this bill was more or less questioned and criticized, yet no serious attempts were made for the improvement of rivers and harbors by the Federal Government until after the decision of the Supreme Court in the case of *Gibbons against Ogden*, rendered on March 2, 1824. In May 1824, following that decision, Congress passed its first distinctive act for river and harbor improvement. It was a bill for the improvement of the Ohio and Mississippi Rivers. This was about 35 years after the adoption of the Constitution.

In a speech before the National Rivers and Harbors Congress in 1936, I called attention to the decision of Chief Justice Marshall in the case of *Gibbons against Ogden*. With the possible exception of the *Dred Scott* decision, it perhaps attracted greater public interest than any other case ever coming before the Supreme Court, at least in the first century of our national existence. It completely reversed the attitude of the Government with respect to interstate commerce, and laid the foundation for the building of a great nation. It restored to Congress its constitutional right to regulate commerce among the States, and to provide the necessary facilities to that end.

Chief Justice Marshall has been severely criticized in recent years, yet I believe the record shows that he was probably the foremost New Dealer of his time. It is true he did not hesitate to nullify acts of Congress when considered in conflict with the Constitution. At the same time, he just as unhesitatingly upheld Congress in the exercise of its constitutional functions, even after that power had been denied by no less a person than the Father of the Constitution, then President of the United States.

Mr. SMITH of Washington. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD. Yes.

Mr. SMITH of Washington. It is interesting to note that Daniel Webster was the principal counsel in that case, and made the main argument, and his view was adopted by the Supreme Court of the United States. I recently had occasion to read his argument which I found very informative.

Mr. MANSFIELD. I refer to that later.

If the Madison interpretation of the Constitution had prevailed to the present time our great inland water-borne commerce would not have been within the realm of possibilities.

Our foreign and coastwise trade could never have developed to its present proportions on account of the inadequacy of port and harbor facilities. The Great Lakes could never have been placed in condition for the systematic development of our great steel industry. Our Navy could not have assumed its present proportions, as but few, if any, of our harbors would have been in condition suitable for its use. Practical flood protection would not have been possible. These illustrations could be extended almost indefinitely.

Prior to the decision in the case of *Gibbons against Ogden* interstate shipping had become involved in so many complications as to render it practically impossible. The Federal Government issued permits or licenses to steamboats engaged in interstate and coastwise trade, but this authority was disputed by many of the States, who claimed the exclusive right to regulate all commerce within their respective boundaries, whether it be State or interstate traffic.

New York prohibited boats to enter her navigable waters without a permit under the sanction of the Fulton and Livingston privilege granted. Neighboring States enacted retaliatory measures. Connecticut enacted a law prohibiting boats from entering the waters of that State if they held such licenses from New York. By the law of New Jersey, if any citizen of that State should be restrained under the New York law, the courts of New Jersey would be given jurisdiction on action for damage, with treble costs against the party seeking such restraint. This was termed an "act of retaliation against the illegal and oppressive legislation of New York." Other States had enacted somewhat similar retaliatory measures. From this it will be seen that commerce between the States would be impossible unless regulated by the Federal Government as provided in the Constitution. Chief Justice Marshall, in sustaining the Constitution of the United States in this decision, made interstate commerce possible and practicable.

Robert Fulton, who developed the *Clermont*, the first steamboat to be successfully navigated, together with Robert R. Livingston, his wife's uncle, a man of great prominence, obtained from the State of New York the exclusive privilege of operating boats propelled by steam upon the navigable waters of that State. Under the act of the New York Legislature, no one could navigate a boat propelled by steam on any water in the State of New York without a permit from Fulton and Livingston. Ogden held such a permit, and under it was operating boats between New York and Elizabethtown, N. J.

Gibbons, under a permit from the Federal Government, was operating boats in competition with Ogden. He was enjoined by Ogden from navigating his boats across the State line into the State of New York. This injunction was affirmed by the Supreme Court of New York, Chancellor Kent rendering the decision. *Gibbons* carried the litigation to the Federal court upon the ground that the act of the New York Legislature, under which he was enjoined, was in conflict with that provision of the Constitution of the United States which gave Congress exclusive jurisdiction over commerce between the States. This plea was sustained by Chief Justice Marshall.

Gibbons against Ogden was one of the most noted cases ever coming before the Supreme Court, not only on account of the great issue involved but also on account of the great prominence of all the persons concerned. *Gibbons* was ex-mayor of Savannah, Ga., and also maintained residence in New Jersey. He was locally and nationally prominent. Ogden had been Governor of New Jersey and United States Senator from that State, and both *Gibbons* and Ogden had been prominent in promoting navigation. The attorneys employed in the case were both nationally and internationally known. *Gibbons* was represented by Daniel Webster, and by William Wirt, then Attorney General of the United States, and famed as the prosecutor of Aaron Burr. Ogden was represented by Pinckney, of Maryland, and Thomas J. Oakley, attorney general of New York. He was also represented by Thomas A. Emmet, the great Irish patriot.

Gibbons and Ogden had been partners at one time, but the partnership had ceased before the beginning of this liti-

gation. During their copartnership they operated boats under Fulton and Livingston permits. Commodore Cornelius Vanderbilt was then in their employ, and there laid the foundation for amassing a colossal fortune. Water transportation was generally profitable in those days, though the charges were reasonable. Gibbons left an estate valued at more than \$1,000,000, principally accumulated in that line of trade.

Our waterway improvements have now been carried on for more than a century under the able supervision of the Chief of Engineers of the War Department. During this time there has been expended \$2,046,419,384.93, not including flood control. These figures include expenditures for both new work and maintenance to the present time. Of these expenditures, \$720,602,125.25 were upon seacoast harbors and channels, \$236,803,192.57 upon the Great Lakes, and \$1,089,014,067.16 upon inland and other waterways.

The President has now inaugurated a new policy with respect to the navigable rivers of the United States. Under this plan, the country is to be divided into seven planning zones, each to include one or more watersheds. The purpose and policy of the bill is set forth in section 1, as follows:

It is the purpose and policy of this act to develop, integrate, and coordinate plans, projects, and activities for or incidental to the promotion of navigation, the control and prevention of floods, the safeguarding of navigable waters, and the reclamation of the public lands, in order to aid and protect commerce among the several States, to strengthen the national defense, to conserve the water, soil, mineral, and forest resources of the Nation, to stabilize employment and relieve unemployment, and otherwise to protect commerce among the States, provide for the national defense, and promote the general welfare of the United States.

Hearings have not yet been commenced on this bill, but it is awaiting reports from the various departments of the Government to which it has been referred. I express the hope and belief that a comprehensive system will be worked out that will eventually place the United States in the forefront of the nations of the world in carrying out the laudible purposes set forth in the proposed act.

In this connection, I wish to call attention to the part performed by a former Member of Congress and former member of the Rivers and Harbors Committee in promoting the purposes now developing into this comprehensive scheme. The River and Harbor Act of 1922 contained an authorization for a large sum for a comprehensive survey of the Tennessee River. I was in the hospital when that bill was under consideration in the House and took no part in its preparation. After its passage by the Senate, I was minority conferee and supported the provision for the survey for the Tennessee.

The results of that survey by the Corps of Engineers of the War Department gave promise of a broader scheme of river improvement than had ever been undertaken by our Government previous to that time. When the river and harbor bill of 1925 was under preparation, provision was made for the survey of a large number of rivers, to be selected by the Chief of Engineers and the Federal Power Commission acting jointly. More than 200 rivers were selected and embraced in Document No. 308. These surveys have been completed on 199 of those rivers at a cost of more than \$10,000,000. Those surveys constitute the base of the comprehensive improvements now proposed to be carried out. The language in the River and Harbor bill of 1925, launching this movement, was as follows:

SEC. 3. The Secretary of War, through the Corps of Engineers of the United States Army, and the Federal Power Commission are jointly hereby authorized and directed to prepare and submit to Congress an estimate of the cost of making such examinations, surveys, or other investigations as, in their opinion, may be required of those navigable streams of the United States, and their tributaries, whereon power development appears feasible and practicable, with a view to the formulation of general plans for the most effective improvement of such streams for the purposes of navigation and the prosecution of such improvement in combination with the most efficient development of the potential water power, the control of floods, and the needs of irrigation: *Provided*, That no consideration of the Colorado River and its problems shall be included in the consideration or estimate provided herein.

The gentleman from Alabama, Mr. McDuffie, now United States District Judge at Mobile, but then a Member of Congress and of the River and Harbor Committee, was primarily

responsible for the proposal for the general purpose surveys of the rivers embraced in Document 308. He was a zealous advocate of the proposal and carefully considered and suggested the language in the bill of 1925 making the authorization. The ultimate success which I hope for the present movement will be largely due to the vision of Judge McDuffie.

Mr. Chairman, Presidents of the United States have generally been sympathetic with the improvement of our waterways to facilitate the movement of commerce. In this respect, President Franklin D. Roosevelt has been outstanding. It is no exaggeration to say that under his administration, river and harbor improvements have been advanced to an extent never before seriously considered. He has made a thorough study of the entire waterway situation and is familiar with every detail of it. His plans embrace a broader and more comprehensive scheme than has heretofore been inaugurated. So far as our rivers are concerned, his chief purpose is to convert them into agencies seeking to avoid waste, prevent destruction, and to secure the performance of every possible service to mankind. [Applause.]

Mr. COLDEN. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD. I yield to the gentleman from California.

Mr. COLDEN. Mr. Chairman, I rise to say in behalf of the other members of the Committee on Rivers and Harbors, that the gentleman from Texas [Mr. MANSFIELD] is one of the considerate Members of the House. One of the greatest pleasures that I have enjoyed as a Member of Congress has been to serve on this committee with him. I am sure that every Member of the House who has listened to his speech realizes the depth and breadth of his information on this question and I venture to say that no Member of Congress, no chairman of any committee, is better informed on the subject within its jurisdiction than our good friend and esteemed colleague, Judge Mansfield. [Applause.]

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD. Yes.

Mr. McCORMACK. I am sure my friend anticipates my question, about Boston Harbor. Will the gentleman advise me whether or not there is a provision for Boston Harbor in the bill?

Mr. MANSFIELD. That is to be offered as a committee amendment. It is not in the bill as printed.

Mr. HOBBS. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD. Yes.

Mr. HOBBS. Mr. Chairman, I rise simply to thank the distinguished chairman of the Committee on Rivers and Harbors for the kind words that he just said with respect to our mutual friend, and the friend of so many Members of this House, Hon. John McDuffie, of Alabama. I am sure I speak the conviction of every Member of the House when I say that the distinguished present chairman of this committee is entirely too modest in failing to claim any credit for the statesmanlike design of the pattern of the bills which have been brought into this House from that committee. Both he and John McDuffie have wrought well in this specialized field. They both deserve the appreciative thanks of the Congress and of the Nation.

We glory in such skillful and devoted leadership, and we thank the gentleman from Texas for the constructive and statesmanlike program which he and the members of his great committee are putting forward. [Applause.]

Mr. SEGER. Mr. Chairman, before allotting time, I want to supplement what has been said here relative to the good work of the chairman of the committee of which I have the privilege of being a member. In the 16 years I have been a member of that committee I have worked with many chairmen, but I believe the present chairman is as well informed, if not better than some of his predecessors. It has been a pleasure to work with him, on account of his earnest desire, if I may say so, to keep down appropriations for rivers and harbors beyond what they might otherwise be if it were not for his great interest and research into the

merits of the bills that come before us. We take the recommendation very largely of the engineers, of course; but there is always a discussion in the committee as to the merits of individual bills, and I think it is due to his great effort that this bill is as small as it is, in view of the fact that there has not been a river and harbor bill in 2 years. I again compliment the chairman of the committee on his great work and upon the great speech which he has delivered. [Applause.]

Mr. MANSFIELD. Mr. Chairman, I want first to thank those gentlemen who have uttered such kindly words concerning myself on this occasion, and also to thank all of the members of the Committee on Rivers and Harbors, and other Members of the House for the many courtesies they have shown me and for the great deal of aid and assistance they have given in the performance of our duties in the committee.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. LUCAS, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill (H. R. 7051) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and had come to no resolution thereon.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Crockett, its Chief Clerk, announced that the Senate had passed without amendment a bill and joint resolution of the House of the following titles:

H. R. 7726. An act making appropriations for the first half of the month of July 1937, for certain operations of the Federal Government which remain unprovided for on July 1, 1937, through the failure of enactment of the supply bills customarily providing for such operations; and

H. J. Res. 433. Joint resolution making appropriations for the fiscal year ending June 30, 1938, for the Civilian Conservation Corps, the railroad retirement account, and other activities, and for other purposes.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the House of the following titles:

H. R. 5394. An act to provide for the acquisition of certain lands for, and the addition thereof to, the Yosemite National Park, in the State of California, and for other purposes; and

H. R. 6958. An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1938, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to a bill of the following title:

S. 2156. An act to amend the act relating to the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, approved June 10, 1930, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6692) entitled "An act making appropriations for the military establishment for the fiscal year ending June 30, 1938, and for other purposes", agrees to the amendments of the House to the amendments of the Senate nos. 24, 26 and 79; recedes from its amendments nos. 1, 47 to 77 inclusive, and 80; and also recedes from its amendment to the title of said bill.

RIVERS AND HARBORS BILL

Mr. MANSFIELD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 7051.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the fur-

ther consideration of the bill H. R. 7051, with Mr. LUCAS in the chair.

Mr. MANSFIELD. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. MOSIER].

Mr. MOSIER of Ohio. Mr. Chairman, I rise for just a few moments to express the grateful appreciation of the people of the whole State of Ohio for the very excellent work that the gentleman from Texas, Judge MANSFIELD, and the Committee on Rivers and Harbors have done on this bill.

There are included in this bill five major Ohio improvements. Those ports which are improved form the gateway to the great steel empire which reaches from Minnesota down to Pittsburgh. The gentleman from Texas, Judge MANSFIELD, has been very indulgent with all of us, and so have the members of the Committee on Rivers and Harbors. As a result of the action of the committee on this bill, the city of Cleveland will start on straightening the Cuyahoga River, a river that was named by the Indian name Cuyahoga, meaning "crooked" in the English language. That river carries about 11,000,000 tons of freight a year, mostly iron ore, and has been the subject of deep concern to that portion of the State for almost a hundred years. So I say to you, Judge MANSFIELD, we are deeply appreciative of your efforts and the efforts of the other members of this very fine committee. [Applause.]

Mr. SEGER. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Chairman, as one of the minority members of the Committee on Rivers and Harbors of this House, I shall not let this opportunity pass without saying a brief word in praise of the splendid chairman of that committee. I doubt if there is any Member of this House who has more first-hand knowledge of the navigable waters of the United States or river and harbor improvement than the gentleman from Texas, our courteous, considerate, cultured, and able chairman, Judge MANSFIELD.

My responsibility to the people I represent and my State would not be fully discharged if I did not raise my voice in favor of the bill now before the House (H. R. 7051), the rivers and harbors bill for 1937.

Like a great network spreading its fiber over the waters of the world, the water-borne commerce of this Nation and of any nation is the only method and the only means by which can be accomplished the exchange of goods between the nations of the world; and so important has it become to the United States that during the year 1935 the commerce of this Nation rose to the stupendous sum of 453,000,000 tons.

To the Members who come from the Northwest, representing districts in States that border on the Great Lakes, it ought to be, and I am sure is, of some interest to you to know that of that great amount of commerce, between one-quarter and one-third originates and moves on the breast of the fresh water seas, the Great Lakes.

The projects in this bill are many. While it has been stated by the gentleman from Arkansas [Mr. DRIVER] that it includes 119 projects, by amendment the number is about 125; and, in addition to that, the bill also includes about 125 surveys, so that 250 different items are included in the rivers and harbors bill, the first bill in 2 years to be presented to the Congress of the United States by the Rivers and Harbors Committee. Therefore the bill represents the work of 2 years on the part of your committee.

I call the attention of the House to the further fact that while the bill of 1935 carried \$660,000,000 in authorized projects this bill carries less than \$34,000,000, or about 5 percent of the amount in the bill 2 years ago. It is the smallest sum included in a river and harbor bill since 1920. There is a reason for that, and that is that a great many of the projects on rivers and harbors have been paid for or had funds allotted to them, not only by specific appropriation but also by emergency-relief funds.

Mr. MANSFIELD. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. MANSFIELD. The bill at that time was a 5-year accumulation and this is a 2-year accumulation.

Mr. DONDERO. Yes. The Chairman is entirely correct about that. The bill of 1935 carried 5 years' work. This bill carries but 2 years' work.

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. DOWELL. Is it contemplated that any other money will be used in addition to the amount in this bill on these projects?

Mr. DONDERO. I may inform the gentleman, of course, that this is not an appropriation bill.

Mr. DOWELL. I understand that.

Mr. DONDERO. This is an authorization bill, and the amount of money that will be required to carry on these projects will have to be appropriated by the proper committee of the Congress.

Mr. DOWELL. But will any other moneys be used aside from the moneys appropriated in these authorizations?

Mr. DONDERO. I am not able to answer that question. Perhaps the chairman of the committee may be more fully informed on that subject.

Mr. MANSFIELD. I will say that I do not know of any funds outside of the regular appropriations through Congress. Formerly we had Public Works Administration funds.

Mr. ENGEL. I understood that the \$34,000,000 or whatever the amount may be, was the cost of these projects.

Mr. DONDERO. That is the estimated cost of the projects in the bill. That money, however, will have to be spread over a number of years in order to complete the work. I understand that no part of it will be appropriated this year.

Mr. ENGEL. And that appropriation may be covered either in the rivers and harbors appropriation bill, or in the nonmilitary activities bill of the War Department, or it may come from relief funds?

Mr. DONDERO. From one of those sources.

Mr. ENGEL. But the total cost of the authorized projects is \$34,000,000.

Mr. DONDERO. Approximately that.

The bill also carries an item for an airplane base in the Pacific Islands which will serve not only our commercial requirements but the needs for trans-Pacific mail as well.

Since the beginning of the Government, it has been shown that water-borne commerce is the cheapest in the world; and I trust that the time is not far distant when the wisdom of this Nation and that of our friendly neighbor across the border, Canada, will conclude a treaty which will make it possible for the unobstructed passage of water-borne commerce on the greatest fresh-water seas on earth, the Great Lakes, connecting them with the oceans of the world, by completing the St. Lawrence seaway. Whatever we do to improve the navigation and commerce of the country makes it just that much easier to distribute the products of farm and factory to the consuming public, the people who need them. When we make it easier to transport such products we also make it possible to provide such products at lower cost.

The bill now under consideration comes to us with the unanimous approval of every member of the Rivers and Harbors Committee. I desire to point out to the Members who come from the Great Lakes States particularly that in this bill are 19 projects authorized, the estimated cost being about \$3,500,000. Although the Great Lakes furnish between one-quarter and one-third of the water-borne commerce of the United States, nevertheless in this bill we receive but one-tenth of the amount of work provided. I desire to point out, however, that sectionalism, partisanship, and politics have no place in a rivers and harbors bill. It is a subject that affects the general welfare of the Nation as a whole and not any particular section of the country. The Members of the House representing the most inland States are interested in this bill for the reason that the products of their States

and their districts may have to find their way to the markets of the world and to the ports of the country not only by rail transportation but also by water transportation.

The conclusions as to the merit of the projects included in the bill are not reached without careful consideration. Every item set forth within its pages has been shown to be meritorious and worth while, as well as economically sound. Not only has every project satisfied the members of the committee, but it has also borne the searchlight of the Board of Army Engineers. I doubt if this Government has any other arm or branch in its service which serves better or more efficiently than the Board of Army Engineers serves this Nation in the projects which it recommends to the Rivers and Harbors Committee for the consideration of Congress. [Applause.]

The amount involved is spread over a period of years; and, as I said before, is small. It represents a moderate sum in comparison with the importance of the work involved and the good it will do. There is not a Member of the House who will say that he is not interested, for the reasons I have already stated.

[Here the gavel fell.]

Mr. SEGER. Mr. Chairman, I yield 1 additional minute to the gentleman from Michigan.

Mr. DONDERO. The question of national defense is interwoven with the commerce of the country; it is a part of this bill; and I trust that the House will give its careful attention to the items mentioned and described, that the bill will have the unanimous support of every Member of this body, and that it will pass when the committee reports it to the House. [Applause.]

[Here the gavel fell.]

Mr. SEGER. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. CULKIN].

Mr. CULKIN. Mr. Chairman, since my service in this House began I have had a growing conviction, a conviction that increases as the years go by, that the average Member of the House is too modest a personality. When it comes to matters involving his own district he is, of course, rather aggressive; but when it comes to asserting his share in the larger affairs of government he is too modest.

Today, in the chairman of this committee, we have an example of the finest flower of parliamentary development, a real technician in his field, a man who knows the national transportation picture thoroughly yet bears himself with extreme modesty. Speaking from the Republican side of the aisle, I want to say that it is a matter of regret to me that the distinguished occupant of the White House did not call into the executive service and consult more intimately men of the splendid technical equipment possessed by the chairman of this committee. The hope of popular government rests in the continuation of the Mansfield type in the public service. [Applause.] In this House, may I say in passing, there are a hundred technicians in their own fields developed through service on committee who are infinitely superior in the technique of their particular committee, in their loyalty to the public service, and in splendid intelligence to many of the tyros whom the distinguished President has placed in high office. I say to you of the majority that although the soothing effect of Jefferson Island is still in your blood, be mindful that you represent a coordinate branch of the Government, and that in technical equipment you are superior to the tyros, the honest Harolds, and the others of his ilk, by virtue of your long years of faithful service to the people. I say to you on the majority side of the aisle that the fault is not in your stars; it is in yourselves; you make yourselves the underlings.

Mr. Chairman, this bill represents one of the most useful contributions to national development, national growth, and to the comfort and security of the individuals throughout all of America. My friend, the gentleman from Michigan [Mr. DONDERO] gave us some figures a moment ago. The items of tonnage referred to the tonnage carried over the waterways which have been improved by this and past

Congresses run into the stupendous sum of 599,212,000 tons in 1935, the figures of the last year available. That includes the Pacific, the Atlantic, the intercoastal waterways, the inland waterways, and the Great Lakes system to which he referred. I repeat that that is one part of the public domain that is still serving the public free from the interference of commissions and free from the interference of bureaucracies.

The gentleman from Michigan [Mr. DONDERO] made some reference to the St. Lawrence seaway, and I desire to emphasize some of his remarks. The treaty, which would make possible this great project, is now in the hands of our Canadian friends, and it is said that they are favorable toward it. I am looking forward to the day when the treaty will be returned to the Senate and its favorable consideration.

The St. Lawrence seaway, of course, has two objects, namely, navigation and power. The construction of this seaway will admit ocean vessels from the Atlantic to the Great Lakes. Ratification of the treaty will add 3,500 miles to the coast line of the United States. It brings the Atlantic Ocean 1,000 miles inland.

It will lessen the economic handicaps of adverse transportation costs to the vast area in the interior of the American Continent. This area embraces more than 22 States. Within these States are more than 40,000,000 people who gain their livelihood from agricultural production and manufacturing. It cannot be denied that the people of this inland section have their progress retarded both from manufacturing and agricultural standpoints by handicaps in transportation.

The building of the Panama Canal left them marooned in the interior of the continent. It placed on them unfair handicaps in the matters of transportation. Never in the history of the Republic has a project been offered that was so fruitful of benefits to the whole country as the St. Lawrence seaway. Its consummation will be in the interests of a real nationalism.

In passing, may I also say to you that by virtue of the development of water transportation by the Rivers and Harbors Committee and in turn by this Congress, that gasoline is selling for an average price of 17 cents in America, whereas if this type of transportation had not been developed and perfected we would be paying an average of 39 cents for every gallon of gasoline sold in America.

Mr. PARSONS. Mr. Chairman, will the gentleman yield?

Mr. CULKIN. I yield.

Mr. PARSONS. The average price of plain gasoline without ethyl or special improving processes would be even 2 cents less than the gentleman's statement, and would be still lower if it were not for the gasoline taxes.

Mr. CULKIN. Yes.

Mr. PARSONS. And would be still much lower than that if it were not for the gasoline taxes.

Mr. CULKIN. I think that is undoubtedly true. That reasoning applies to every phase of farm produce, bulk commodities and raw materials, transported over our waterways.

Mr. KITCHENS. Will the gentleman yield?

Mr. CULKIN. In a moment. A discussion of the rivers and harbors bill would be incomplete if some reference were not made to those great public servants, the Army engineers. During my service on the Rivers and Harbors Committee I have been amazed at the work of the Army engineers. The efficiency and devotion of this group to the cause of America is in large part the basis of our national development. The future engineers were the intellectual leaders at West Point. Under the stress and discipline of this system they were the dominating mental and physical types, and as such were selected for the engineering service. Originally the engineers pioneered the West, built railroads, bridges, and performed other notable service in peacetime. It is, of course, a combatant branch of the United States Army in times of war.

The Nation has expended hundreds of millions of dollars for pioneering purposes, for the improvement of rivers and harbors, and for flood control. This work has been highly

technical in character, requiring the exercise of the highest engineering skill. It has all been accomplished successfully, and the Nation, which hears little of this group of technicians, has reaped incalculable economic benefits from their work. It is interesting to note that while all the millions of dollars appropriated for these purposes, running beyond the billion mark, has been expended under the direction of the engineers, there has been but one case of speculation in 110 years of this service. The engineers are the real field marshals of the public domain. They combine extraordinary industry and power of research with the highest order of intellect. Through my 10 years on the Rivers and Harbors Committee, I have been brought in contact with this group of remarkable public servants and have been amazed by the breadth and clarity of their findings on all questions concerning waterways and economics.

I want to call the attention of the Members to the fact that for the past several years there has been a nationwide effort through various types of lobbying, perhaps none of it yet venal, to write off and destroy water transportation in fact and in the minds of the people. Every subsidized economist takes a fling at the efficiency of water transportation, upon which I say the very life, the very security, and the comfort of America depends. Today we have pending before one of the committees of the House a bill to place water transportation under the jurisdiction of the Interstate Commerce Commission. May I say in passing that we placed truck transportation under the Interstate Commerce Commission, and immediately truck transportation in most parts of the country doubled. The Interstate Commerce Commission now has jurisdiction where there are joint water-and-rail rates. May I call attention to what the Interstate Commerce Commission has done with water rates where they have had jurisdiction of that matter?

[Here the gavel fell.]

Mr. SEGER. Mr. Chairman, I yield to the gentleman 10 additional minutes.

Mr. CULKIN. Mr. Chairman, a report of the Interstate Commerce Commission recommends, and based on what has gone before, it will be adopted, a raise of \$1.85 per hundred pounds from New York to New Orleans. The existing rate is about 85 cents. The rate from New York to Buenos Aires, 5,757 miles, is 98 cents. Bear in mind that the distance between New York and New Orleans is approximately 1,800 miles. The freight rate per 100 pounds from New York to Cape Town, 6,786 miles, is 90 cents per hundred pounds, and so all along the scale. To Kobe, Japan, over 10,000 miles, the rate is 90 cents. Yet the Interstate Commerce Commission is prepared to write into law, and it will be law if you give them jurisdiction of this question, a provision making the rate to the American people, because they are the ones who pay the freight, from New York to Gulf ports \$1.85 per hundred pounds.

I wonder sometimes just who the Interstate Commerce Commission thinks it serves. I am wondering if it thinks it has a definite direction from Congress to destroy water or other types of transportation by raising the rate up to the level of the rail rate, and whether or not it considers the fact it is the representative of the people.

I now yield to the gentleman from Arkansas [Mr. KITCHENS].

Mr. KITCHENS. In connection with the question of water transportation and reducing and holding down the price of gasoline, may I say you can ship 100 pounds of gasoline from Memphis, Tenn., to El Dorado, Ark., for 15 cents.

Mr. CULKIN. By water?

Mr. KITCHENS. By rail. This is because they ship the gasoline up the Mississippi River and load it at Memphis. But if you ship a hundred pounds of gasoline from El Dorado to Memphis it costs you 30 cents. That is the difference. In other words, the country west of the Mississippi River is discriminated against in that we have to pay twice as much in freight rates.

Mr. CULKIN. That is always the fact; and, as the gentleman suggests, where there are competing waterways the

saving to the people is tremendous. May I say in that connection, in my own State it has been stated by excellent economists that the mere presence of the Erie and Oswego Canals, if not a pound of freight moved over them, results in a potential saving to the people of the State of \$50,000,000 a year.

Mr. KITCHENS. The refining company in Eldorado, Ark., is located 36 to 40 miles from the Ouachita River. There is a picture in the paper this morning which shows that company has gone to the expense of thousands of dollars in order to build a loading place on the Ouachita River. They are going to haul the oil 40 miles by truck, then ship it down the Ouachita River. It will take 25 days for them to move that gasoline from El Dorado, Ark., to Memphis, yet it is cheaper for them to do that than to utilize the railroad from El Dorado to Memphis.

Mr. CULKIN. Except for the interior waterways and the inland waterways, which this bill develops, the people's economic life and their comfort would be strangled.

Mr. MANSFIELD. Will the gentleman yield?

Mr. CULKIN. I yield to the gentleman from Texas.

Mr. MANSFIELD. I may say to the gentleman that the States of Texas and Oklahoma produce approximately one-third of the cotton crop of the United States. Practically none of it is milled in those States. It has to go into either the export trade or to the New England or Eastern Atlantic coast mills. The rate by rail from Texas to Massachusetts mill towns is on an average \$1.54 a hundred pounds, or \$7.70 a bale. The ship rate from Galveston to those points is 35 cents a hundred pounds or less than \$2 per bale. If the bill the gentleman refers to is enacted into law and these rates are equalized, the cotton farmers of Texas and Oklahoma especially will have to pay approximately \$5 a bale additional in transportation charges on each bale of cotton.

Mr. CULKIN. Exactly; and that is the definite trend of the Commission's decisions.

Mr. SHORT. Will the gentleman yield?

Mr. CULKIN. In a minute.

The Interstate Commerce Commission should be led to understand by some procedure that it represents the public and that that was the conception of the Commission when it was established in 1887. But, thus far, as near as I can analyze the situation, it does not consider the public at all. It is railroad minded to the last degree, and if the Congress of the United States does not watch out, the country will find itself in the grip of a transportation monopoly which will be murderous not only to the farmers but to the city dwellers whose comfort will be seriously affected.

Mr. PIERCE. Will the gentleman yield?

Mr. CULKIN. I yield to the gentleman from Oregon.

Mr. PIERCE. The gentleman referred to the trend of the Interstate Commerce Commission's decisions. Do those decisions not show clearly that the object it has in view is the fixing of such a rate structure as to pay dividends upon stocks and bonds which, if the water was squeezed out of them, would result in lower freight rates?

Mr. CULKIN. I agree with the gentleman, it is an unpleasant topic and reminiscent of an evil past. The country, under the theory of the Interstate Commerce Commission, is now paying for the past financial sins of the railroads, the Jay Goulds and Jim Fiskes and their ilk. Even in these days the so-called Wall Street banker, when he gets his teeth into a situation, always pours in three or four million dollars of water for his own purpose and for his own fee. I have no hesitancy in saying to the gentleman that at the present time in the railroad set-up, with a capitalization of \$26,000,000,000, there is at least \$8,000,000,000 of water.

Mr. PIERCE. At least one-third.

Mr. CULKIN. On the mistaken and unholy theory of the Interstate Commerce Commission, the people of the United States have to pay freight rates based on that capitalization. To this end they are going to drag the trucks up to the cost of railroad transportation and drag water transportation up to the level of the trucks.

[Here the gavel fell.]

Mr. MANSFIELD. Mr. Chairman, I yield 3 minutes to the gentleman from New York.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. CULKIN. I yield.

Mr. RANKIN. As a matter of fact, the policy which has been adopted of reducing freight rates to water points in order that the railroads may compete with water transportation, and which has been carried through Congress in the Pettengill bill to reduce further freight rates to water points, is simply discriminating against the people in the interior. We in the interior, who do not live on the rivers, are with you on this legislation, but we are paying a terrific penalty in exorbitant freight rates as a result of this policy, which Congress has not manifested an inclination to check but has promoted by its passage of these measures which further discriminate against the people in the interior.

Mr. CULKIN. I agree with the gentleman. I think Congress took a definite step back, and went back half a century, when it passed the Pettengill bill. [Applause.] Here is a more serious menace. Preliminarily may I say in that connection that the whole theory of water transportation, the whole theory of the engineers, the economic theory on which water transportation is brought to this floor and passed is that the savings in the cost of transportation are passed on to the people. I say that water transportation is the last of the public domain which the people have in an unhampered and unadulterated form. If the people pass this on to a bureaucratic outfit—I do not say a venal but an uneconomic outfit from the standpoint of people like the Interstate Commerce Commission—the American people will be in the grip of a monopoly alongside of which the Standard Oil in its lush days was a white angel.

[Here the gavel fell.]

Mr. SEGER. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. CULKIN. I want you to think over what I have said about this question. It is not pleasant to inveigh against the railroads. They are doing a better job than they have been doing. They have their function and they have their place in national economics, but water transportation and truck transportation also have their place in the economics of the people. No one type of transportation should be permitted to surround, engulf, and destroy the others to the detriment of all the people.

Mr. PIERCE. Will the gentleman yield for one more question?

Mr. CULKIN. I yield.

Mr. PIERCE. Is it not a fact that freight rates have gone up nearly one-third since the World War? It is true.

Mr. CULKIN. Yes; I think that is true.

Mr. PIERCE. Why? To pay dividends on this watered stock.

Mr. CULKIN. There is one case on the books where steamers left Florida carrying fruit several days a week. On those days the Interstate Commerce Commission lowered the rates by rail. The thing is barefaced, it is indefensible, it is hopelessly destructive of the interests of the farmer—East, West, North, and South. It is destructive of the consumer. I say to Congress in that connection, "Watch your step." [Applause.]

[Here the gavel fell.]

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. CULKIN. Yes.

Mr. ROBSION of Kentucky. I was very much interested in the statement of the gentleman that there is \$8,000,000,000 of watered stock in the capitalization of the railroads. What is the capitalization of the railroads of this country?

Mr. CULKIN. Twenty-six billion dollars.

Mr. ROBSION of Kentucky. What is the physical valuation as expressed under the La Follette Act?

Mr. CULKIN. I think that was entirely a synthetic valuation. It was based on the reproduction value and represents, of course, little more than sheer economic nonsense.

Mr. ROBSION of Kentucky. It cost about \$100,000,000 to make the valuation. I am wondering to what extent the valuation was correct.

Mr. CULKIN. I think the theory of it is wrong. I think the valuation of the railroads would be very high at \$18,000,000,000.

[Here the gavel fell.]

Mr. SEGER. Mr. Chairman, I yield such time as he may require to the gentleman from California [Mr. GEARHART].

Mr. GEARHART. Mr. Chairman, the improvement of navigation upon the various rivers of the country is one of the most important duties of the Congress, a duty which down through the years the Congress has discharged with credit to itself and untold benefit to the Nation. I, too, desire to add my congratulations to the Rivers and Harbors Committee and to its distinguished chairman, the gentleman from Texas [Mr. MANSFIELD], for the excellence of the legislation which is offered for our consideration today.

Because of the authorizations contained in this bill which have to do with the promotion of navigation upon the Sacramento and San Joaquin Rivers in California—the great water arteries of that State—I am deeply interested in the ultimate passage of the legislation we are considering at this moment.

Not only will the interests of navigation be served but, as a consequence of the improvement of these two great waterways, a control of the water resources of California's Great Central Valley will be achieved—a control which is vital to the future development of this great Western Commonwealth.

In river control lies the hope of the ultimate realization of our "dream of dreams", the Central Valley water project of California. The enactment of the technical provisions of this bill will do much to translate that which is today but a paper conception into a pulsating actuality, a boon to mankind, indeed.

Mr. Chairman, notwithstanding the impression that may have been created to the contrary, there is not any shortage of water in the Great Central Valley of California. There is plenty of water there to adequately supply all of the domestic, agricultural, and industrial demands as well as the necessities of navigation.

The problem is merely one which has to do with the scientific placement upon the proper lands of the waters which nature has so abundantly supplied.

The Great Central Valley in the north produces more water than is needed by the people who reside there. In the south there is not enough water to meet the minimum necessities of the people, to adequately care for the thousands of settlers who have already established themselves in that remarkably fertile area.

So the problem is merely one of collecting the water where it is plentiful and taking it to the places where it is scarce; and in order to produce this result so devoutly to be desired, the project has been devised. The Central Valley water project is a complete, self-sufficient, self-sustaining, self-operating single unit, though it is composed of a variety of different works of various kinds.

The Central Valley water project is the answer to the one overshadowing problem of this great inland empire, that is, the efficient spread of the water over all of the irrigable lands through the length and breadth of the Great Central Valley of this golden State of romance.

In the control of the water and its transport to the places where it can be most profitably used, certain things are accomplished which are in themselves subsidiary to the main objective but which are, nevertheless, highly valuable in the development of the State as a whole.

First. Control over the flood menace will be achieved by virtue of the construction of two great dams, one on the San Joaquin River in the south and the other on the Sacramento River in the north. From these dams the State will obtain protection from an annual property loss, which has mounted into millions of dollars during the last few years.

Second. In the obtaining of that flood control, the holding back of waters during the flood season, the releasing of waters in a regulated flow from the river's source in its race to the sea, the navigability of these two great rivers will be greatly improved, stabilized, and extended far beyond the

highest point now reachable. The regulation of the flow of the Sacramento River will render that great river navigable some 50 or 60 miles beyond the point to which it is navigated today.

Third. The regulation of the natural flow of water to the sea through the control established by the construction of the dams above will insure a steady pressure of fresh water against the salt water of San Francisco Bay, thereby terminating the saline menace which now threatens the destruction of some 400,000 acres of delta lands, the finest in the world, all of which are today in danger of being rendered absolutely unusable by man.

Fourth. Incidental to the main objective of the great dam and reservoir on the upper Sacramento River of furnishing urgently needed water supplies for many purposes, a billion and a half kilowatt-hours of hydroelectric energy will be generated, one-fifth of which will be consumed in operating the project, the balance to be sold for public or private use. That there will be a ready market for the electricity, there can be no question, as the great privately owned public utility which is now serving northern California has offered to purchase the entire output as fast as it can be generated. The profits from this phase of the enterprise will add greatly to the certainty of success of the project, insofar as its financial feasibility is concerned.

Control and regulation of flow having been established, the surplus waters of the Sacramento Valley in the north will be taken to the south portion of the San Joaquin Valley, where the water is sorely needed today, and where, if water is not produced in the near future, a great land area, consisting of some 450,000 acres, will, because of an increasing scarcity of waters formerly plentiful, gradually return to the conditions of the desert; that is, to conditions under which it will no longer be possible for man to profitably till the soil.

Now, I want to emphasize one thing about this project. It is no longer necessary to defend it in respect to its engineering feasibility, because it has been investigated, time and time again, by engineers of the greatest ability, representing various public and private agencies, and there has not been one of them who has rendered an adverse report.

There has not been a single report rendered by a financial expert, who is willing to say over his signature, that the project is not financially feasible. All are in agreement, lavish in their praise.

The approval of this project by the committee, its early construction, is of untold importance insofar as the development of the State of California is concerned.

Without it the steady march of civilization in this great western Commonwealth will be halted; the further development of this Pacific coastal State will fall into retrogression. It means that the thousands upon thousands of Americans for whom we had hoped to provide homes will have to seek homesteads elsewhere.

It is natural that you, if your consideration of our great problem is superficial, will jump to the conclusion that this is merely a California development; that we are asking for something for ourselves alone. In this connection let me point out that the estimates of the Bureau of the Census demonstrate convincingly that this great valley will in but a short time provide homes for millions and millions of people who do not live there today. When we ask for governmental assistance in the development of this valley we are asking not so much for the improvement of California for Californians alone, as for its development for the benefit of all of the people of the United States, for the tens of thousands of people—yes; the hundreds of thousands of people from all over the Union that are coming to California to establish their homes in its Great Central Valley.

So when the Government offers in this instance its helping hand to California, it is in fact furthering a plan which will eventually provide homes not only for California, but for an untold number of people who are destined to come to California to settle upon the lands which this inspiring project will make available.

It is a great enterprise. Today, it contemplates merely the saving of land which is already in a high state of pro-

ductivity. In the future, when the demands of that day require it, 10 or 15, 20 or 30 years from now, the plan may be extended to include lands which are unused today, but that is only remotely within the contemplation of those who are pleading for this project. Since no new lands are to be immediately brought into use the fears that have been expressed by some that increased agricultural production will but add to the embarrassing surpluses which already burden the Nation are quite unfounded. Even if new acres were to be brought into production, this result which is giving our people such concern, could not develop for the reason that very few of our California crops are in competition with the products of other States which are suffering in value because of overproduction. The crops raised in the Great Central Valley are specialized crops in the production of which we have practically no competition from without our borders. We are producing crops which we sell to the entire world, not to the East alone.

We would have to multiply many times over the acreage now devoted to our specialized crops, produced, as they are, on irrigable lands, before we will approach the production of a surplus in any one of them.

Certainly, if the construction of the Central Valley project would appreciably embarrass the agricultural situation in the Nation, the opposition of the Department of Agriculture would have been long ago manifested. On the contrary, the Honorable Henry A. Wallace, the Secretary of Agriculture, has frequently stated that neither he nor the Department over which he presides has any objection to the immediate development of the plan. In support of this contention I quote a paragraph from a letter I received from Mr. Wallace but a few weeks ago:

DEAR MR. GEARHART: A couple of years ago I indicated to persons interested in the Central Valley water project that I thought it unobjectionable and, in general, in line with the desirable policy of taking care of people already on irrigated lands. It is therefore our purpose not in any way to object to the project.

A careful reading of this pronouncement ought to dispel all doubts and fears that anyone may have heretofore entertained that the construction of this great project would adversely affect the general agricultural situation.

This is one of the greatest projects which has ever been devised by man for the improvement of conditions of mankind. When it is carried into fulfillment, it will indeed make the valley of the San Joaquin blossom as the rose, make of it all that man has dreamed of—man's paradise on earth.

A hasty review of these great benefits which will flow from the construction of the Central Valley water project in its entirety convinces us that it is indeed worth while to improve the navigability of California's two greatest rivers, contributing as this work will to the attainment of so many coordinated facilities. I, therefore, beseech your favorable consideration of this bill which the Rivers and Harbors Committee offers to us for our consideration today. [Applause.]

Mr. SEGER. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. DITTER. Mr. Chairman, the Nation is in a grave crisis. Justice has been flouted. For months lawlessness has been rampant. Properties have been illegally seized and held. Incalculable economic losses have been inflicted upon wage earners, businessmen and women, upon the whole people. Bombings, shootings, riots, defiance of court orders and of the duly constituted law-enforcement agencies are matters of daily news in the press of the country. Marauders have marched upon and have terrified entire communities. Men have been killed, women have been wounded, little children have been injured. The laws have been scoffed at and violated times without number. Thousands of men and women are being denied their constitutional rights of protection as they seek to follow peacefully their vocations in an effort to make a living for themselves and their families. Power systems, water systems, transportation systems, fire-protection systems, and even the

United States mail service have been disrupted; and the air is filled with threats of more depredations to come. Terrorism pervades the industrial field in every section of the country.

For months the Secretary of Labor has given by word and deed aggressive encouragement to the groups who have been perpetrating these outrages. Now the citizens of many States are organizing themselves into vigilantes and arming themselves through sheer desperate necessity for self-protection in the face of the break-down of duly constituted law-enforcement agencies.

Congress and the whole Nation have for months been demanding that the Federal Government move to end this reign of lawlessness and anarchical industrial disorder. The country has been waiting for the President, with the influence of his high office and the power of his prestige, to speak the words which would recall these lawless elements to sanity and order.

Mr. Chairman, the mountain has labored and brought forth a mouse!

Finally, the President of the United States, after long, silent acquiescence, has no word of his own to speak, but must needs go back to William Shakespeare for the words to express his attitude:

A plague o' both your houses!

And no sooner had the words fallen from his lips than his secretaries were scurrying about explaining that he did not mean the C. I. O. or John L. Lewis, but he meant those engaging in violence and those who will not submit to coercion and sign contracts to avoid these lawless conditions.

With the urgent need for a forthright stand, a firm declaration that law and order must be upheld, that orderly and lawful procedure must be followed by both employer and employee, the President gives voice to no stronger statement than "A plague o' both your houses." The country is disappointed. It had the right to expect a positive declaration. It had the right to expect candor, high moral courage, and perfect frankness. It had the right to expect that the persuasiveness of the President would be exercised for the maintenance of law and order. Disappointment and foreboding are its portions. Industrial differences provide no excuse for mob rule, nor for the wanton destruction of property, nor for the defiance of accepted rules of law and order.

The blessings of liberty depend to a large degree upon domestic tranquillity, and domestic tranquillity depends upon the maintenance of law and order. The protection of the lives and property of the citizens against acts which are in violation of every established rule of society is a duty of government. Representative democracy does not mean mob rule. Liberty does not mean license. Obedience to law is still the heart of self-government, and respect for law still determines the capacity of a people to govern themselves. If self-government is to be perpetuated, order cannot become anarchy, might cannot be right, and the defined processes of established government cannot become the riotous confusion of rebellious barbarism.

The President has never been at a loss for words with which to lash the money changers. He has never lacked a vocabulary with which to denounce the economic royalists. He has never had to hunt for phrases with which to condemn the tax evaders. He has never been at a loss for cutting expressions with which to castigate those who opposed him. Why is it now, knowing, as he does, that a firm declaration for law and order from him would end this reign of terror and would restore the dignity of the law and the stability of government, why, I ask, can he find no statement stronger than "a plague o' both your houses"?

Have we come to the point where the President does not dare declare for law and order? Have we come to such a pass that the President of the United States, because of political ties and obligations, does not dare act to uphold the constitutional rights of our people?

The country has looked to the President to end this intolerable condition of affairs by a determined declaration. He has thus far disappointed the Nation which believed in

his courage, his fairness, and his concern for the orderly processes of government.

Does the President fear to speak out in this crisis? For him to declare for law and order, to condemn lawlessness and terrorism, does not necessitate his taking sides in the conflict. It does necessitate his being the spokesman for the millions of helpless consumers, the unprotected and unorganized householders, the small business men and women, and the thousands of industrious workingmen who are being daily made the victims of these lawless groups of industrial marauders who are spreading terror under the cloak of labor organization.

The peace of this Nation is in peril, and the time has come for plain speaking. Does the President intend to take a firm stand for law and order, and if not, what is it that seals his lips?

Is this menacing condition to be permitted to grow worse and worse until a dictatorship under a declaration of martial law is invited? Does this account for the Presidential silence?

Does the President condemn this reign of terror, or does he regard it with complacency, if not acquiescence? The Nation is entitled to know. [Applause.]

Mr. SEGER. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. JOHNSON].

Mr. JOHNSON of Minnesota. Mr. Chairman, the bill as it is before the House today, insofar as Minneapolis is concerned, is not complete, but this is no fault of the chairman of the committee [Mr. MANSFIELD] or the members of the committee, who have been untiring in their efforts.

The 9-foot channel will be completed during the latter part of next summer, when they will impound the water above each of the 26 dams that will be completed at that time; but it appears that the 9-foot channel in Minneapolis will only come to the Washington Avenue Bridge, which is a mile and a half from the nearest point in the industrial area of the city.

In order to bring the Mississippi River and the 9-foot channel up to a city of half a million people, which is the head of navigation, one project will have to be completed in addition to the work that has been done on the river, and this is the building of two locks through St. Anthony Falls.

Mr. MANSFIELD. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Minnesota. I yield.

Mr. MANSFIELD. To carry the navigation channel up to the point the gentleman speaks of would carry it above St. Anthony Falls, would it not?

Mr. JOHNSON of Minnesota. Yes; it would. It would carry it above St. Anthony Falls, and it was previously thought, perhaps, not practical from an engineering standpoint because of the numerous bridges above the falls, to bring the 9-foot channel up into the upper harbor; but now, due to the development of Diesel-powered tugs, you can tug your barges into the upper harbor without changing the bridge construction in that area. The Army engineers have not completed the report on this project, and, of course, the committee does not desire to incorporate such an amendment in the bill until this report has been received from the Army engineers.

Mr. ANDRESEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Minnesota. I yield.

Mr. ANDRESEN of Minnesota. Does the gentleman propose to offer an amendment to this bill to include that part of the river near St. Anthony Falls?

Mr. JOHNSON of Minnesota. I may say to the gentleman from the first district of Minnesota that such a bill was introduced at the beginning of the session, and if an amendment were to be offered today it would have to be offered at page 12, line 23, but I do not believe the committee would accept such an amendment, and I withhold offering the amendment because of the fact that the report of the engineers has not been received by the committee.

Mr. CULKIN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Minnesota. I yield.

Mr. CULKIN. Does not the gentleman think the more orderly procedure would be, in view of the fact the gentleman is going to get a report shortly, to put the amendment on in the Senate, if it is approved?

Mr. JOHNSON of Minnesota. Yes. The only reason I am bringing this up today is because of the fact that you will have spent in 1933, \$148,000,000 to put in a 9-foot depth in the Mississippi River, but the big city above St. Louis is Minneapolis, and Minneapolis yearly ships 10,000,000 tons of freight, of which about 55 percent is available for water transportation. So it seems to me good business, if you are going to make the \$148,000,000 bring a real, economic return, to bring the river up to the industries, up to the mills of Minneapolis, up to the factories, and up to the cold storage houses above St. Anthony Falls, and I would like to have the RECORD contain this statement, because the Ohio River yearly ships 20,000,000 tons, and even with a 6-foot channel, the Mississippi River, which, at low water has only a 5-foot channel during the summer, last year carried over 1,500,000 tons. We have great faith in the Inland Waterways Corporation, under Major General Ashburn. They have done a good job, and the Army engineers have done a good job, but to complete this real job, the House and the Senate, after the report of the Army engineers is in, should extend the channel to the north limits of Minneapolis and put the 9-foot channel right up to the industries of the city of Minneapolis, which has a population of half a million people. [Here the gavel fell.]

Mr. MANSFIELD. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. BARDEN].

Mr. BARDEN. Mr. Chairman, I probably should discuss the bill without taking the time to make the statement which I am going to make, but I could not help but be reminded a few moments ago, when the gentleman from Pennsylvania [Mr. DITTRER] was addressing the committee, of something that happened only a few weeks ago. When the so-called antilynching bill was before the House, I made the statement that if the good Lord would save the South from our so-called reformers to the north of us, I thought we would recover, and at the same time it would give those gentlemen more time to look around and discover the terrible conditions growing and existing in their own back yards. I regret that the conditions are as they are today, but I am delighted they have found time to give them some thought and I hope they will be able to work the problems out satisfactorily.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I cannot yield at this point. I say that merely because I somehow dislike to hear a man get up and try to throw dust in somebody else's face.

With reference to the river and harbor bill, I am interested to report this fact to the House. That in the \$34,000,000 worth of work covered in this bill, there are 37 projects involving less than \$30,000 each. That to me is a very significant fact. It shows that not only the Rivers and Harbors Committee, but the Corps of Army Engineers are interested in developing the small projects which take care of the small communities and give the man with a small boat an opportunity to make a better living, and to serve in a better way and at the same time conserve and make more available our natural resources.

I could mention one little harbor in my district—Atlantic, N. C. The improvement cost only approximately \$15,000. The project was pushed along by a public-spirited gentleman named Capt. Jim Morris. He believed in it, and finally the engineers made a favorable report. On the first day that little port was open the amount received from the sale of fish alone over that dock was over double the cost of the entire project, and over 200 boats called into that port. So one can see the extent of the benefits to be derived from these small projects.

Let me say a word now about the Army Engineers. In my opinion they are one of the most efficient agencies in the Government. They have cooperated 100 percent with the Rivers and Harbors Committee and with the chairman

of that committee. I would hate very much to see anything take place that would in any way disturb the organization to which I refer. They are doing a fine piece of work; they are giving proper attention to the needed waterways; and they are approving waterways that are carrying freight and paying to the users a rich dividend. Not only that, but I may also say they are in operation, and in case of war they are most familiar with their work and ready for action at all times. They, too, are entitled to a great deal of credit for this bill, and that would not in any way detract from the credit due our most efficient chairman, who, in my opinion, knows more about the waterways in the United States than any man in it. [Applause.]

Mr. MANSFIELD. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. GREEN].

Mr. GREEN. Mr. Chairman, I consider the bill now before us one of the most important that has been before the House at this session of Congress. It is a broad and comprehensive program of waterways development in our country, which will carry these developments to practically every part of the country where waterway possibilities exist. The authorization is very small comparatively speaking, only about \$34,000,000.

ARMY ENGINEERS EFFICIENT

I was particularly impressed by the statement made by my colleague from North Carolina [Mr. BARDEN] concerning the efficient manner in which the Board of Army Engineers operate in river and harbor matters. I should be very much displeased to see the Congress in any manner dislodge the existing functions and powers now handled by the Board of Army Engineers under the War Department. It happens that in a century of experience no one can ever point the finger of accusation against this Board for any wrongdoing or the exercise of any favoritism to any community in the United States or to any individual. Their examinations and surveys are made impartially, and with only one thing in mind, finding what are the needs of communities, and what are the possibilities of a community and commerce as a result of any expenditure which may be recommended through their reports.

RIVER AND HARBOR IMPROVEMENTS NOT SECTIONAL

I was also particularly impressed by the gentleman from Michigan [Mr. DONDERO], when he mentioned the fact that river and harbor authorizations have always been nonpartisan, also nonsectional, and have reached to all parts of the country, and I venture the prophecy now that the gentleman's cherished St. Lawrence waterway development is only a matter of time. This great waterway, which would carry great benefits to the American people, is going to be carried out. The project will ultimately be carried out because there is public demand for it. If you will notice the history of our country, the centers of population have grown up first where they could have waterway transportation facilities.

Your farming areas are adjacent more or less to the waterway transportation facilities. Within 50 miles of water transportation facilities you will find 85 percent of American industry. Within 50 or 75 miles of direct waterway transportation facilities you will find about 75 percent of the farm-producing areas of the United States. That is most significant. Regardless of the efforts of the rival transportation facilities, and their ally, the Interstate Commerce Commission, water transportation development shall go on in the United States in the future. Rival transportation facilities have been subsidized in value more than a billion dollars in American lands and American moneys. It is true the Congress has spent almost an equal amount for our waterways development. For transportation facilities to try to throttle and lobby and work against water transportation facilities is undoubtedly selfish and contrary to the best interest of the rank and file of the American people—the great mass of American consumers.

RAILROADS SUBSIDIZED

America has in the past aided, assisted, and substantially subsidized transportation facilities. This is particularly true in the case of subsidies, grants, and gifts given to

railroads. Adequate transportation facilities have always been essential to general prosperity and the economic life and welfare of our Nation. Our country has quite properly recognized this and gone the limit in subsidizing railroads. The railroads should now be the last ones to yell and cry about the Government's spending money on waterway transportation facilities.

According to reliable authority, Federal railroad grants have been as follows:

<i>Federal railroad grants</i>	
	<i>Acres</i>
Estimated total area granted.....	190,000,000
Estimated area forfeited.....	35,000,000
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Estimated area of unforfeited grants.....	155,000,000
Area patented to June 30, 1910.....	113,660,000

Remainder pending adjustment (probably greater part available).....	41,340,000
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<i>Federal wagon-road grants</i>	
	<i>Acres</i>
Estimated total area granted.....	3,229,000
Area patented to June 30, 1910.....	2,987,000

Remainder pending adjustment (practically all available)	242,000
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Texas was an independent sovereignty before its admission to the United States and the treaty of union provided that the State should retain the ownership of all public lands within its boundaries. It has given to railroads land grants amounting to approximately 32,400,000 acres, over one-sixth of the area of the State.

FLORIDA GAVE ONE-THIRD HER AREA TO RAILROADS

In my own great State of Florida, it is as follows:

	<i>Acres</i>
Land grants made to the railroads by the Federal and State Governments.....	2,220,779
Land grants made to the railroads by the State government.....	9,070,156

When you consider that Florida has only about 32,000,000 acres of land, do you not think we have been exceedingly liberal in giving more than one-third of this to the railroads to encourage them to build and operate their transportation facilities for us? Railroad development in Florida has meant much to its economic life. But it seems to me now that this interest could hardly have the nerve to come in and oppose waterway transportation facilities in Florida.

THE FLORIDA CANAL

Now, Mr. Chairman and my colleagues, I have particularly in mind the steamship canal across Florida. This canal, when constructed, will connect up our great waterway transportation facilities of the Atlantic and Gulf of Mexico. For more than 10 years the Board of Army Engineers made exhaustive, detailed, and thorough studies of this project. Authorization for these studies and surveys was based upon bills which it was my pleasure to introduce and which the Congress passed in 1927 and 1930. They spent probably one-half million dollars in the surveys and called in the best talent within their organization and also outside of their organization in order to arrive at the facts in the case. Probably no other engineering project has by Americans ever been examined more thoroughly, exhaustively, and competently than has been the Florida canal. After these exhaustive studies, the Chief of Engineers, through the Secretary of War, on April 1, 1937, transmitted his report to your Committee on Rivers and Harbors. This report was ultra favorable and recommended completion of the canal.

The House Rivers and Harbors Committee, of which I happen to be a member, held exhaustive hearings for more than 21 days. At these hearings, the Chief of Engineers and officers of his corps, the Chief of the United States Geodetic Survey, and a large number of other witnesses appeared. Your committee voted by an overwhelming vote to complete the canal and favorably reported H. R. 6150, which I introduced, for the completion of the canal. This bill is now on the calendar and you will in the future be called upon to act upon it.

THE CANAL IS A NATIONAL PROJECT

The canal across Florida is a national project and, practically speaking, its benefits will apply to the United States as follows:

	Percent
Population.....	74
Number farms.....	70
Acreeage farms.....	73
Income farms.....	72
Manufactures.....	73
Wholesale and retail trade.....	84
Forests.....	53
Minerals.....	82
Finances.....	84

No other American project can show anything like half these benefits; therefore, Mr. Chairman and members of the Committee, it is truly a national project and cannot be considered as a local or sectional project.

In stressing the national importance of this project and its far-reaching benefits to the entire Nation, I call attention to the communication received by me from Hon. John L. Bogert, editor of the Marine News, and also a statement appearing in the May issue of the Marine News, as follows:

THE NEW YORK MARINE NEWS CO., INC.,
New York, May 18, 1937.

HON. LEX GREEN,
Washington, D. C.

DEAR MR. GREEN: With rail charges for grain haulage 13.9 mills per ton-mile from Yankton, S. Dak., to Duluth, and water rates but 2.6 mills per ton-mile on the New York State Barge Canal, it is imperative to utilize the all-water route down the Missouri and Mississippi Rivers to New Orleans, and thence up the coast to Atlantic ports. A canal across Florida becomes a necessity, since river barges cannot go to sea around Florida, and transshipment at New Orleans uneconomic. A canal shortens the haul 400 miles and links up the Gulf and Atlantic intracoastal waterways.

Very truly yours,

JOHN L. BOGERT, Editor.

THE CASE FOR THE FLORIDA CANAL

The Missouri, Mississippi, and Ohio Rivers, with their tributaries, constitute a chain of navigable waterways 15,000 miles long, but it is improbable that the time will ever come when 75 percent of these rivers will be navigable for vessels drawing more than 9 feet of water. Such being the case, barges, both self-propelled and towed, must constitute the bulk of that immense flotilla of freight carriers, that can alone insure to the dwellers of our vast interior sufficiently low-cost transportation.

The Department of the Interior has issued a pamphlet which shows that many of our Middle West States, which were at one time the granary of the world, are now losing their inhabitants; and their farms, which were years ago the producers of great national wealth, are now being abandoned. High transportation costs will always arrest the growth in population of any land.

Montana, North Dakota, Wyoming, Nebraska, Kansas, Iowa, Missouri, Oklahoma, Arkansas are all seriously handicapped by the high cost of rail transportation. Congressman PETTENGILL, in a pamphlet entitled "Giving All Shippers an Even Break", makes the statement that in 1910, 33 percent of our people lived within 50 miles of salt water or the Great Lakes, and in 1930 this percentage had grown to 45. Coupled with that he calls attention to the fact that two-thirds of our growth in population had taken place in that strip of 50 miles from salt water or from the shores of the Great Lakes.

If those figures prove anything, they prove that people cannot afford to stay anywhere where there is no cheap water transportation available. There is but one lesson to be learned from such figures, and that is the importance from a national standpoint of extending cheap water transportation throughout our interior. To fancy that this natural drift to the shores of waterways can properly be arrested by abandoning the waterways and forcing into bankruptcy all transportation systems that utilize those same waterways is the height of absurdity. Cheap transportation means extended markets, and extended markets means a higher standard of living.

It is easy to demonstrate from the history of the great State of New York that a perfectly adequate waterway paralleling a railroad, not only does not injure that railroad, but builds it up and increases its earning capacity. There are three trunk lines that cross the State diagonally from New York to Buffalo, with a mileage haul of about 436 miles. The New York Central, paralleling the Hudson to Albany, and from Albany paralleling the New York State Barge Canal for its 340 miles to Buffalo, is several miles longer. Nevertheless, the New York Central has assisted in the building up of five cities of over 100,000 inhabitants, while Binghamton alone, of all the cities and towns on the Erie, Delaware, Lackawanna & Western and Lehigh Valley Railways, has as much as 78,300. The conclusion is inescapable that cheap water transportation is absolutely essential for rapid growth in population.

Congressman PETTENGILL's figures don't begin to tell the tale so far as the State of New York goes. We understand that 85

percent of the entire population of New York is located within 10 miles of its great waterway route up the Hudson to Troy, and thence to Buffalo. And Albany, Troy, Schenectady, Utica, Rome, Syracuse, and Rochester are the prosperous growing cities they are, just because they are not at the mercy of "all the traffic will bear" railroad freight rates.

Suppose we contrast the happy fate of these prosperous cities with the melancholy fate of the grain growers of South Dakota. If we do, we will speedily discover ample reason why the farm population of the Central West is shrinking. From Yankton, S. Dak., to Duluth, Minn., is but 424 miles by rail and the railroad charge is 15.9 cents per bushel of heavy grain, which on the basis of 60 pounds to the bushel would be closely 14 mills per ton-mile, or \$5.93 for the ton haul. Now contrast that with what the railroads ask to haul that same bushel of wheat from Buffalo to New York—4 cents per bushel. The distance is 436 miles, so the rate per ton-mile is but 3.4 mills. Now, if the railroads can afford to haul grain through the State of New York for 3.4 mills per ton-mile, what earthly right have they to ruin the poor farmer of the Dakotas by mulcting him 14 mills per ton-mile? Nevertheless, the Interstate Commerce Commission permits just such discrimination.

There is salvation for the western farmer, however, but it does not lie in any route through the Great Lakes; it lies down the Missouri and Mississippi Rivers. The annual report of the Inland Waterways Corporation for the year 1935 conclusively proves the possibility of a "down stream" rate for bulk cargoes as low or even lower than 1 mill per ton-mile. Therefore the Yankton, S. Dak., farmer can have his heavy grain hauled down the Missouri and Mississippi Rivers 2,050 miles to New Orleans for 5.5 cents per bushel. That is but little more than one-third of what the railroads ask him to land it at the head of Lake Superior, 4,576 miles from Liverpool; to be exact, 10.4 cents less. Now, that 10.4 cents per bushel will go a long way to pay the cost of the ocean haul from New Orleans to Liverpool, a distance around through the Florida Straits of 5,266 statute miles.

It must be evident that every mile cut off this long haul will be a distinct benefit to the shipper; a saving of 400 statute miles (350 nautical miles) would reduce this ocean haul to 4,866 statute miles. At 1 mill per ton-mile, 10.4 cents saving per bushel would pay for a haul of 3,882 miles. So down the Missouri River to its junction with the Mississippi River, thence down the Mississippi River to New Orleans, and from thence across Florida, 15.9 cents per bushel would pay for the transportation of that South Dakota heavy grain to within 1,000 miles of Liverpool. Think of it, ponder over it, hauling heavy grain by water nearly 6,000 miles for the same price as is demanded by the railroads to haul it 424 miles. There is nothing extraordinary about hauling a bushel of grain 6,000 miles for 15.9 cents by a water route. The Argentinian, 7,178 miles away from Liverpool at Buenos Aires, has during the recent depression had his coal brought to him for 10 shillings per ton and his grain hauled back to Liverpool for 20 shillings per ton. Prices are higher now, but still well under a mill per ton-mile. In sailing vessels grain has been carried from Australia to Liverpool, 15,000 miles, for \$6 per ton, or six-fifteenths of a mill per ton-mile. This compares very favorably with bulk-cargo haulage on the Great Lakes, where coal and grain have been carried for as little as three-eighths of a mill per ton-mile.

In view of the Report of the Board of Engineers for Rivers and Harbors, bearing date of February 24, 1937, which after advocating dimensions for the canal of "35 feet increased in the rock sections to 36 feet and 37 feet in the Atlantic and Gulf entrances, with a minimum width of 400 feet in the land cuts increased to 600 feet in open water" it seems pertinent to point out that it is perfectly possible to construct any canal of such excessive cross-section for the canal prism, that the visible traffic would be utterly inadequate to economically justify its construction. This the Board of Engineers and Harbors seems to have done.

Justification for the foregoing conclusion can be pointed out by considering the case of the St. Mary's Canal on the Great Lakes. Here is a canal that passes the largest tonnage of any canal in the world, tonnage that carries cargoes at rates as low as any on any sea, lake, or river anywhere. Furthermore, the bulk cargo vessels that ply through this canal are of considerable length; the steamer *Harry Coulby* is 604 feet long, 65 feet beam and 33 feet depth. Yet these vessels carry cargoes as large as 15,000 tons on less than 20 feet draught. At no time in the last 25 years has the recommended draught exceeded 21 feet.

There are no tankers as yet built that are as long as 600 feet; a standard size may be taken as 500 feet long, 68 feet beam carrying 15,500 tons on 30 feet draught. But it is perfectly possible to build tankers longer than 500 feet and drawing less water than 30 feet when fully loaded; the ratio of length to draught in our large trans-Atlantic passenger vessels is much greater than what obtains in the modern tanker. It can be taken as axiomatic that vessels will always be built to suit the canal locks they must traverse. So it must be obvious to anyone that General Markham is perfectly justified in restricting the cross-section of the Florida Canal prism to such dimensions as he feels the visible traffic warrants.

So far as the needs of vessels that can navigate the upper reaches of our inland waterways is concerned, a canal across Florida that will accommodate barges drawing but 8 feet of water fully loaded will meet their requirements, but no such limited draft would suffice for the trade that will use this most desirable waterway. With the deepening of the New York State Barge Canal, barges drawing 14 feet of water will be constructed in large

numbers, and it would be folly to restrict the possible use of the canal to only river barges.

It seems pertinent to point out here that the tank trade is a one-way trade and that upon its return voyage south to the Gulf, in ballast, these tankers which draw 30 feet fully loaded will rarely draw more than 20 to 21 feet aft and but little more than half that forward. So the very largest tankers in ballast will never call for more than 25 to 30 feet.

There is one other advantage that inheres to the Florida canal route. As everyone knows, the Gulf Stream pours out through the Florida Straits at the rate of 3 to 3½ knots, and for a tanker to go south she must buck this same Gulf Stream. But below Hatteras there is a counterflow current close in to shore running south. So a direct course for Jacksonville would be favorable, while any course around the lower end of Florida would be against the current. It is therefore absurd to suppose that tankers will not use the Florida canal when built, in any event on their south-bound, in-ballast condition. There is a further reduction in fuel consumption when the speed is cut down in transiting the canal. As every naval architect knows the power needed is proportional to the cube of the speed, so that theoretically but one-eighth of the normal power is required when the speed is reduced one-half. While the mechanical losses of the propelling machinery remain nearly constant, so that the fuel consumption does not follow closely any such rule as one-eighth fuel consumption for one-half speed, it is none the less true that in transiting such a canal as the Florida canal, a 15,000 D. W. tanker might save 15 tons of fuel oil in a 24-hour passage, owing to the reduction in speed.

It must always be borne in mind that the cutting of this canal across Florida will permit shoal draft vessels that are utterly unsuited to ocean navigation to pass from the intracoastal waterways of the Gulf to those of the Atlantic. There are over 1,000 miles of these intracoastal waterways in the Gulf and 1,431 miles of them on the Atlantic; this canal will join them.

It will be of interest to all of my colleagues, particularly those from the southern section of our country, to know the substance of a brief statement taken from a recent issue of the Manufacturers Record. This statement gives enlightening information relative to the Nation's oil reserves, and is as follows:

SIXTY-THREE PERCENT OF NATION'S PROVEN OIL RESERVES IN THE SOUTH

An increase of 886,000,000 barrels of petroleum in the proven reserves of the United States on January 1, 1937, over the January 1, 1935, figure is estimated by the American Petroleum Institute. During this 2-year period approximately 2,044,000,000 barrels were produced, but discovery of new pools and development of old ones have covered this and the total reserves of the country are placed at 13,063,000,000 barrels, of which 8,242,000,000 barrels, or 63 percent, are in the southern oil-producing States.

The increase in the South since the last estimate 2 years ago is 1,032,000,000 barrels, compared with a decline of 148,000,000 barrels in the oil regions of the rest of the country, principally California.

"These figures", the president of the A. P. I., Mr. Axtell J. Byles, explained, "do not mean that the country has available only 13,063,000,000 barrels of oil, but that it has proved reserves up to that amount. * * * The probability is that these proven reserves constitute only a small portion of the supply which will be made available. But these reserves do assure that there is no imminent danger of shortage."

Following is a table showing the distribution of reserves in southern fields:

Proven petroleum reserves, Southern States

(As estimated by the American Petroleum Institute for Jan. 1, 1937)

	Barrels
Arkansas.....	84,000,000
Kentucky.....	39,000,000
Louisiana.....	524,000,000
Oklahoma.....	1,141,000,000
Texas.....	6,422,000,000
West Virginia.....	32,000,000
Total.....	8,242,000,000
Total, United States.....	13,063,000,000

The American Petroleum Institute is authority for the above statistics, and it is noteworthy that the South supplies two-thirds of the country's petroleum energy and that it has an estimated investment of \$6,000,000,000 in southern oil reserve and production enterprises. This tonnage—the bulk of it—will find its way through the Florida Canal.

2½ DAYS SAVED FROM ATLANTIC TO GULF

Mr. Chairman and my colleagues, with our rapidly growing population and rapid exhaustion of our national resources, it is imperative that Americans look scientifically toward economies in transportation. This canal will save in ship-operating costs about \$10,000,000 annually. It will reflect three times this amount in a lessened transportation cost to the American consumers. [Applause.]

Mr. MANSFIELD. Mr. Chairman, I yield the gentleman from Florida 1 additional minute.

Mr. GREEN. Thank you, Judge MANSFIELD.

It will save 2½ days' time in making a boat round-trip from New York and European ports to New Orleans and other Gulf ports. From New York to New Orleans this will gain about one round-trip in five. More than 10,000 ships annually will transit it. Practically all engineering and commercial minds of the country admit that it will carry more than twice the annual tonnage of the Panama Canal. The best national defense minds in the country say that from a national defense point alone it is worthy of construction.

It will save numerous lives and hundreds of thousands of dollars storm damage annually by eliminating the necessity of boats going through the hazardous straits south of Florida. It will be a permanent structure and will carry these benefits to each succeeding generation. Each 15 years after its construction, it will return in transportation savings to the American people the cost of its construction.

I earnestly urge you to cooperate for passage of legislation for its completion. [Applause.]

[Here the gavel fell.]

Mr. MANSFIELD. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky [Mr. SPENCE].

Mr. SPENCE. Mr. Chairman, it was once my good fortune to serve on the Committee on Rivers and Harbors. I desire to express my high regard for the chairman of that great committee, Judge MANSFIELD. He always commanded the profound respect of the members of the committee by reason of his great capacity and his comprehensive knowledge and his modesty, his fine character and his many good qualities have not only endeared him to the members of the committee but to all the Members of the House.

I am not going to discuss the technical features of this bill. There is a matter in the bill in which I have a very great interest.

Section 5 of H. R. 7051, the bill under consideration, contains the provisions of H. R. 2300, a bill introduced by me to provide for a survey of the Ohio River and its tributaries with the view to preventing their pollution.

The question of the elimination of stream pollution is one of transcendent importance to the people of the district I represent and is rapidly becoming a matter of vital importance to all the people of the United States.

The Ohio River is probably more highly improved for the purposes of navigation than any other river in the Nation. It is locked and dammed, and in times of low water it constitutes a series of stagnant pools, one of such pools extending from Coney Island, 7 or 8 miles east of Cincinnati, to Fernbank, a few miles west of Cincinnati. Into that pool flows the domestic sewage and industrial waste of 600,000 people on the Ohio side and 150,000 on the Kentucky side, and out of the pool comes their water supply. It is an indefensible and intolerable condition and one that must be remedied in the near future.

The ordinary processes of coagulation to treat turbidity of aeration and filtration could not produce potable water from the Ohio River if the process of chlorination was unknown. It is necessary to use chlorine in the water plants in the smaller towns to such an extent that it can be plainly tasted in the drinking water.

I voted for the Barkley-Vinson bill which placed this matter entirely in the hands of the Health Department. It will always be necessary for the Health Department to establish standards, but the ultimate solution, it seems to me, is an engineering problem. The water cannot be purified after it is polluted. We must prevent the pollution. That is an engineering problem. It can only be done by interception sewers and disposal plants. However, there will be enough work for all departments in the solution of this great problem.

It is my thought that the Ohio River should be the laboratory where this problem could be solved, not only for the people living in the Ohio Valley, but for the people of the Nation. The Ohio River, by reason of its small volume

of water in many seasons of the year, and the fact that it drains a basin with an area of 200,000 square miles with a population of almost 20,000,000 people, and by reason of the great volume and variety of industrial waste and domestic sewage that flows into the river, should be the laboratory in which this problem should be worked out.

In Secretary Woodring's report on H. R. 2300, which is section 5 of the bill under consideration, and which report is included in the report on the pending bill, he said:

It is the view of the Department that any plan for the abatement of pollution in the drainage areas of the United States must be based upon results of further investigations and studies of definite streams in which pollution may be acute. The size and importance of the Ohio River and the present condition of pollution in certain reaches of the river indicate that this river and tributaries warrant such a study. The administration of the provisions of the proposed bill can be coordinated with the prosecution of the preliminary examinations and surveys now conducted by the Department.

The larger cities along the Ohio River, by the application of the processes known to science, have made the water fairly potable, but the smaller towns have no capacity to spend the immense sums of money necessary for this purpose. They have largely obtained their water supply from artesian wells and they have lived under the delusion that the water thus obtained was pure and healthful. However, by constant use of the subterranean waters the water table has been lowered in some instances, I have been informed, from the depth of 12 to 80 feet, and the polluted percolating waters of the Ohio River have mingled with the subterranean waters to such an extent that the use of these waters for human consumption is a real source of peril.

Under the commerce clause of the Constitution, the Federal Government retains jurisdiction over all navigable waters. At the time of the formation of our Government almost all the commerce was water-borne. The railroads had not yet come, there were few roads and all of them were almost impassible, so the Nation depended for its commerce upon the rivers and navigable waters.

It was very important that the navigable rivers should be improved and that the great seaports and lake ports should be adequate to care for our commerce. The Corps of Engineers of the United States Army from its beginning has been closely associated with our Federal program of internal improvement and today is still the only general engineering organization in the Government service. In times of peace the War Department's most important civil-engineering activity is the improvement of our waterways for navigation and the control of floods.

The first river and harbor legislation enacted by Congress in 1789 consisted in assenting to certain improvements sponsored by the individual States. The first appropriation for river and harbor improvements was made in 1802, and from 1826 to the Civil War Congress periodically provided appropriations for this purpose. The close of the Civil War and the return of industrial activity brought to the front the necessity for a still more comprehensive program to provide reasonable facilities for our ever-growing commerce. From 1866 to 1920 Congress continued the passage of these periodical river and harbor bills, and in 1920 adopted its present policy of enacting general river and harbor legislation to include the authorization of definite projects and the expenditures necessary for the completion of these projects every several years, and making available in the annual War Department appropriation a lump sum for application to these authorized projects.

Congress has appropriated a total of \$2,260,000,000 for maintenance and improvement of our navigable waterways, which carry an annual commerce of 583,800,000 tons, valued at \$24,311,000,000.

Advance planning for additional future works of river and harbor improvement and of flood control has continued with the prosecution of works under construction. Plans are prepared for the prompt commencement of further works of improvement of widespread public benefit, all of which have been maturely investigated on the initiative of Congress and recommended by the Chief of Engineers.

Including the reports on the tributary streams of the Mississippi, is the comprehensive survey of approximately 200 streams and their tributaries in the combined interests of navigation, flood control, power development, and irrigation.

The War Department engineers have presented to the Committee on Rivers and Harbors of the House numerous concrete and definite projects, with specific recommendations, and from these we have the bill that is before you now.

In the matter of flood control, the dispatch with which the Army engineers are able to furnish information to Congress and to present reasonable plans was clearly demonstrated this year. In an incredibly short period after the greatest flood of all time had passed down the Ohio River the Chief of Engineers was able to report to Congress a plan designed to prevent a recurrence of this national disaster. These data, with recommendations for other great tributaries of the Mississippi, are now in the hands of the Flood Control Committee.

The present national policy of the Rivers and Harbors Committee has greatly facilitated waterway improvement work and placed it on a sound working basis. This policy of enacting every few years general river and harbor legislation authorizing appropriations for definite projects, with a view to their completion over a period of years, and of making available in the annual War Department appropriation a lump sum for application to these authorized projects provides for the modern and extensive program we now have. While the legislation necessary to carry out this policy and provide for a comprehensive program might at first appear to be an insuperable task, since both preliminary and final decisions depend upon agreement in the committee and on the floors of both Houses of Congress, the records of the past decade stand as monumental evidence that our river and harbor work has functioned efficiently and expeditiously.

Certainly the engineers of the War Department, who have such great knowledge upon the subject of our navigable waters, acquired over the years, should have their proper place in the important work of eliminating stream pollution.

The CHAIRMAN. The time of the gentleman from Kentucky [Mr. SPENCE] has expired.

Mr. MANSFELD. Mr. Chairman, I yield to the gentleman from Washington [Mr. SMITH] such time as he may desire.

MERIT OF RIVER AND HARBOR PROJECTS—LABOR EMPLOYED

Mr. SMITH of Washington. Mr. Chairman, I have requested this time in order to briefly point out to Congress and to the country the fact that there is probably no type of Federal project, I care not what its nature may be, which receives the thorough, painstaking study and consideration to which a river and harbor project is subjected before it is authorized by Congress and the money is actually appropriated by Congress.

The local community initiates the project for the dredging or improving of the river or harbor in question, to serve the local community by providing low-cost water transportation, and to aid commerce and navigation at that point. The project is discussed in the community, the citizens themselves see the possibilities and advantages which would accrue, and therefore they agitate and advocate the project and local industries join with them in favoring it; then their representative in Congress is called upon and introduces a bill for a survey which is essential in the case of every new project. He presents the matter to the Committee on Rivers and Harbors, which submits it to the United States Army Engineers having jurisdiction of rivers and harbors, who determine whether a survey is necessary and desirable and recommend accordingly. This results in the bill either being passed separately or included in the omnibus river and harbor bill, such as the pending measure, which includes numerous surveys. If the project is one for the modification or change of an existing project, then a resolution for review of prior reports is sufficient and the Representative sponsors such a resolution which is submitted to the Army engineers and later to the committee which passes

it and refers it back to the Army engineers for the desired report.

The project is then referred to the district engineer, of whom there are 42 in the United States, embracing every section of the country. He calls a hearing in the local community and all those who might be interested are notified and afforded an opportunity to be heard and present testimony and arguments showing the need for the improvement and evidence in support of the merits of the project. It is a public hearing, the public is invited and welcomed, and all those who indicate a desire to be heard either for or against the project are heard. It is in the nature of a quasi-judicial hearing. The district engineer, after considering all the testimony, makes recommendations and refers the project to the division engineer, of whom there are 10 in all sections of the Nation, the last division engineer's office to be established being at Portland, Oreg., in charge of Col. T. M. Robins, who was transferred from San Francisco on account of the large Bonneville Dam project on the Columbia River, in Oregon and western Washington.

The division engineer reviews the recommendations and report of the district engineer. He then makes his report and recommendations and sends the project on to Washington, D. C., where it is again reviewed and considered by the Board of United States Army Engineers, at which time the Representative in Congress is again heard in behalf of the project. The Board consists of seven members. They have served as district and division engineers in various parts of the Nation and like them were honor students at West Point and took the special course at the engineering school at Fort Belvoir, Va., prior to serving as district and division engineers before being promoted to membership on the Board. The members of the Board have no local interest to serve whatsoever; they consider each project from a national view-

point, how it will affect the navigation and commerce of the United States. They are far removed geographically from each project. These skilled engineers are absolutely divorced from politics. They are nonpolitical and nonpartisan and consider and decide the project solely upon its merits and demerits. The final decision rests with the Chief of the United States Army Engineers, who reviews the report and recommendations of the Board.

After the project has run the gantlet of the district engineer, division engineer, Board of Engineers, and Chief of Engineers, these reports are submitted to the Committee on Rivers and Harbors, which hears the project de novo and listens to the presentation made by the local Congressman and representatives of the office of the United States Army Engineers and either approves or rejects the project, preparatory to its inclusion in an omnibus river and harbor bill. I repeat the assertion made at the outset that the scrutiny and searching investigation which I have described is probably not equaled or even approached by any other class of projects or expenditures of the Federal Government.

Mr. Chairman, not only are river and harbor projects based upon merit, but they also result in a greater proportionate expenditure for labor, direct and indirect, than almost any other class of public-works projects. To substantiate and prove this fact I call attention to the following statement prepared under the direction of Maj. Gen. E. M. Markham, Chief of Engineers, United States Army, furnished to me under date of June 25, 1937. The total percentage, direct and indirect, of labor costs ranges from 78.5 to 87.9 percent, demonstrating conclusively the soundness and desirability of river and harbor projects as labor-employment projects.

The statement of General Markham referred to is as follows:

Percentages of labor costs, direct and indirect, to total cost for work completed with Government plant and hired labor by the Corps of Engineers, U. S. Army, between September 1933 and June 30, 1936

	Dredging, regular funds	Dredging, N. I. R. A. and P. W. A. funds	Operating and care of canals, regular funds	Dike construction, N. I. R. A. and P. W. A. funds	Revetment construction, N. I. R. A. and P. W. A. funds	Lock and dam construction, regular funds	Levee construction, regular funds
1. Direct labor:							
Labor used in construction including plant operation.....	29.7	33.5	57.2	31.9	34.6	30.0	34.0
Labor used in plant repairs.....	12.7	11.3	3.8	4.4	3.8	4.0	10.0
Labor used in surveys, superintendence, and overhead.....	9.0	6.0	7.2	5.4	6.8	7.2	9.0
Miscellaneous services.....							3.5
Total, direct labor.....	51.4	50.8	68.2	41.7	45.2	41.2	56.5
2. Indirect labor:							
Material and supplies used in construction.....	18.0	19.3	17.5	35.8	33.7	32.9	14.0
Material and supplies used in plant repairs, etc.....	9.4	9.0	2.2	2.3	2.1	2.8	5.6
Miscellaneous supplies.....							2.4
Total, indirect labor.....	27.4	28.3	19.7	38.1	35.8	35.7	22.0
3. Total direct and indirect labor.....	78.8	79.1	87.9	79.8	81.0	76.9	78.5
4. Other costs:							
Basic materials.....	13.5	13.3	9.2	17.2	15.7	16.1	10.5
Depreciation.....	7.7	7.6	2.9	3.0	3.3	7.0	11.0
Total other costs.....	21.2	20.9	12.1	20.2	19.0	23.1	21.5
Total.....	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Mr. MANSFIELD. Mr. Chairman, I yield to the gentleman from Rhode Island [Mr. FORAND] such time as he may desire.

Mr. FORAND. Mr. Chairman, I am happy, indeed, on my first occasion in the Well of this House, to pay my respects to the genial chairman of the Committee on Rivers and Harbors, the gentleman from Texas [Mr. MANSFIELD].

I heartily subscribe to what has been said here today by my colleagues in praise of the qualities and virtues of Judge MANSFIELD.

When I first came to Congress in January I was to the gentleman from Texas [Mr. MANSFIELD] absolutely unknown; but upon approaching him with reference to projects within my district, one the deepening and widening of the channel

of the Providence River and Harbor, and the second a preliminary survey of Warren River and Barrington Harbor, he practically took me by the hand and led me to the point where both these projects are included in this bill. I want to express my thanks to the gentleman from Texas for his courtesy.

Mr. Chairman, the deepening and widening of the channel in the Providence River and Harbor is a matter of deep interest to the State of Rhode Island and to its business. This bill provides for a channel 35 feet deep and generally 600 feet wide from deep water in the upper Narragansett Bay to the turn below Fields Point, from which point the channel would continue at a depth of 35 feet, and would widen up to 1,700 feet to Fox Point.

At the present time the channel is only 30 feet deep and cannot accommodate the larger steamers which could be used to advantage to deliver petroleum products to terminals in Providence Harbor.

The deepening and widening of the channel as proposed in this bill has been recommended by the Army engineers, who have evaluated the benefits to accrue from such improvements at \$195,000 annually, which, I believe, fully justifies the expenditure of \$1,580,000 as provided in this bill.

The city of Providence, a city of nearly 300,000 inhabitants, is the principal port of the State of Rhode Island. The record shows that in 1934 the commerce of the harbor, exclusive of cargo in transit, amounted to nearly 6,000,000 tons. This is high-class commerce.

It may be noted here that Providence is a distributing center for petroleum products for a considerable area in New England and provides, in addition to the regular commercial terminals, a very fine public terminal on which in excess of \$2,000,000 has been spent by the local community. Commodities received and shipped through Providence Harbor include coal, both anthracite and bituminous, coke, petroleum products, lumber, metals, chemicals, sand, stone, coal tar, and freight packages with a value during 1935 in excess of \$143,000,000, of which amount nearly \$2,000,000 was foreign commerce. There are 23 terminals already doing business on the harbor's $4\frac{1}{2}$ miles of frontage, included in which are 7 petroleum products terminals with a total of 5,000 linear feet of berthage, all with adequate storage facilities and including 1 refinery with pipe line distributing to Worcester and Springfield, Mass. There are 3 lumber terminals with a total berthage of 2,450 feet and adequate back storage and five wholesale and retail coal terminals, each averaging more than 600 feet of berthage and all supplied with storage and trans-shipment facilities. One package freight steamer line, Providence to New York, has about 1,000 feet of berthage, and the local gas company owns and uses about 625 feet. All of these terminals are privately owned and not open to public use. There is a railroad pier with 1,925 feet of berthage with rail and unloading facilities. A terminal warehouse pier, the State pier, and the municipal wharf are open to use on equal terms to all. The State pier is a modern structure, 120 feet wide and 600 feet long, with transfer shed, dock storage, and about 4 acres of general storage.

The municipal wharf at Fields Point is a quay wall about 3,000 feet long, of which 800 feet is open for general use and the balance leased. Closed and open storage, crane service, and rail sidings are available. A project is now on foot for an extension of the municipal wharf to provide greater facilities. This project, it is estimated, will cost approximately \$2,000,000.

In view of the great amount of commerce using the port of Providence and the fact that the city of Providence and the State of Rhode Island have shown through the expenditures of large sums of money their willingness and desire to cooperate with the Federal Government in the further development of this great port, I sincerely hope that this bill will pass and that the deepening and widening of the channel in the Providence River and Harbor will become an accomplished fact in the not distant future.

Mr. MANSFIELD. Mr. Chairman, I yield to the gentleman from California [Mr. ELLIOTT] such time as he may desire.

Mr. ELLIOTT. Mr. Chairman, we have under consideration today the Rivers and Harbors Act of 1937, one section of which deals in a very important and substantial manner with the Central Valley project of California. For more than 25 years I have had direct personal opportunity at the very door of my home to watch the effect of the creeping paralysis of water shortage on highly developed lands in great areas of the Central Valley of California. Tulare County, Calif., in which is my home, is one of the counties most acutely affected by this water shortage. Like-

wise, large parts of Kern County, to the south, and of Fresno and Madera Counties, to the north, as well as Kings County, on the west, face the certainty of reverting from splendidly developed areas contributing enormously to the annual national income by the production of specialized crops, to desert or pasture, unless additional water is brought to their parched lands. I know from personal observation over many years, as well as from studies of official reports, that unless the Central Valley project is brought to completion so as to furnish this additional water, the ensuing 10 years will, in the counties I have named, with mathematical certainty, eliminate from 200,000 to 400,000 acres of these developed lands from production. Already the doom of economic extinction and abandonment due to failure of water supply has fallen upon approximately 50,000 acres.

This presents only the picture as to the southern part of the Central Valley of California, which southern part is called the San Joaquin Valley. In the northern part, called the Sacramento Valley, situations equally as acute but of a different nature exist. In many years floods of devastating extent sweep this area. These floods carry to the sea and waste water, vast quantities of water, constituting the most precious natural resource of California. On their way to the sea in seasons of flood, which occur in the winter or early spring, these floods ravage the countryside, doing great harm. Millions of dollars have been spent by the United States and the State of California in efforts to control these floods, and that money has been in the main wisely expended, but the peak floods of the Sacramento River still remain uncontrolled above certain stages of flow, which higher stages occur all too frequently. Then, when the floods have subsided and the long dry summer comes, as it comes every year in California, the draft on the diminishing flow of both the Sacramento and San Joaquin Rivers for irrigation so reduces the flow of those rivers that their combined outflow into upper San Francisco Bay through the delta channels at the mouths of these rivers becomes too weak to hold back the salt waters creeping up those delta channels by tidal action from San Francisco Bay. Those delta channels traverse an area of 400,000 acres of the most fertile lands in the United States. By way of example, I may state that from these delta lands comes more than 90 percent of all the canned asparagus consumed in the United States. The creeping paralysis of salt water intrusion into that delta is slowly but steadily extinguishing forever the productive fertility of thousands of its best acres. I say forever. Once those lands become impregnated with salt there is no known method of redeeming them.

The cause of all this is the inequality of the distribution of the waters which nature supplies annually to California. Three-fourths of the annual supply in the shape of rain and snow which falls upon the State comes to the northern one-fourth of the State. Three-fourths of the irrigable lands of the State lie south of that heavily watered area. The remedy for this maldistribution of water supply is the Central Valley project.

It has required nearly 20 years of investigation, negotiation, and study to formulate the design and plan of the Central Valley project and bring it to where it is now—ready for construction. California has spent more than \$1,000,000 from its treasury in those studies, and the United States has contributed the detailed efforts of its Army engineers and Reclamation engineers. Never has any water project been so exhaustively studied from every angle in advance, and never has any such project been so unanimously approved. There is not one dissent from either Federal or State engineers in approving it, and it bears the official approval of the Secretary of the Interior, and finally of the President of the United States.

Twenty years have been a long time to work on preliminaries to construction. More years cannot be spared for that purpose. The need is now to press forward with construction to the full limit of speed commensurate with economical operations. At best the life-giving water to be sup-

plied by the completed project will arrive too late to avert a vast amount of irretrievable loss.

Of course there are and will be a great number of problems both of engineering and law to solve in connection with the building of the Central Valley project. Some of these problems have already delayed the start of construction on one or two units of the project.

What is urgently needed is to vest in the Bureau of Reclamation such powers and authorization as are necessary to enable it to attack and solve these problems with all its strength in the way they must be solved—justly, but promptly. That power and authority will be vested in the Reclamation Bureau by the provisions of the Rivers and Harbors Act of 1937, now before this House. I cannot find words to convey to you with what prayerful anxiety thousands of people in California whose whole life's efforts and savings have gone into the development of the lands which the Central Valley project will save, are awaiting the decision of this Congress on this act.

May I, in conclusion, summarize a few vital facts as to the Central Valley project.

First. It is not in any sense a promotion scheme for the development of new lands. It is a rescue project to save lands already developed.

Second. The waters from this project will produce almost entirely specialized crops, scarcely in competition with any other parts of the United States, such as grapes, figs, walnuts, vegetables, and citrus fruits. Other crops that may be produced under the project are marketed at a time when there is little or no competition between them and similar crops from other areas. There need, therefore, be no fear that the Central Valley project will add to the problem of surplus in agricultural products. No better evidence of this need be furnished than the fact that after exhaustive investigation the project was officially endorsed by the last national convention of the American Farm Bureau Federation.

Third. The project is and will be absolutely self-liquidating and will repay to the United States Treasury within a reasonable term of years every dollar used from that Treasury for its construction. There is a market and a demand now for every kilowatt of electric energy and every drop of water to be made available by the project, more than sufficient to guarantee by firm contracts repayment of the construction costs.

Fourth. Every aspect, engineering, legal, economic, and financial, of the project has been checked and rechecked by Federal and State agencies. They are unanimous in their approval of the project as a whole, unanimous in urging the pressing necessity for its early construction.

The plans are now being completed, the engineers and the workmen have started, the only obstacle remaining is clear and definite authorization from this Congress to the Reclamation Bureau to go ahead. Let us not seal the doom of more fertile acres in California by withholding that authorization another day. [Applause.]

Mr. MANSFIELD. Mr. Chairman, as there are no further requests for time, I ask that the bill be read for amendment.

Mr. PARSONS. Mr. Chairman, I ask unanimous consent, inasmuch as there are no controversial matters in the first 12 pages of the bill, these pages including the names of the project, that the reading of the first section of the bill be dispensed with, but that it be printed in the RECORD at this point; that then the committee amendments may be offered at the proper places on each page, and after they are disposed of, if there are any other amendments, either to strike out or to insert, that these amendments be in order. I do this to expedite consideration of the bill.

Mr. DONDERO. Mr. Chairman, reserving the right to object, and I shall not object, the gentleman's request is confined to the first section of the bill ending on page 12?

Mr. PARSONS. The gentleman is correct. Section 2 contains the matters that might be controversial.

Mr. MOTT. Mr. Chairman, reserving the right to object, as I understand the gentleman's request, it does not include the second section.

Mr. PARSONS. It gives an opportunity for any Member to offer any amendment he may wish, either to strike out or to insert.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Section 1 of the bill follows:

Be it enacted, etc., That the following works of improvement of rivers, harbors, and other waterways are hereby adopted and authorized, to be prosecuted under the direction of the Secretary of War and supervision of the Chief of Engineers, in accordance with the plans recommended in the respective reports hereinafter designated and subject to the conditions set forth in such documents; and that hereafter Federal investigations and improvements of rivers, harbors, and other waterways shall be under the jurisdiction of and shall be prosecuted by the War Department under the direction of the Secretary of War and the supervision of the Chief of Engineers, except as otherwise specifically provided by act of Congress:

Chelsea River or Creek (Boston Harbor), Mass.; Rivers and Harbors Committee Document No. 24, Seventy-fifth Congress;

Town River, Quincy, Mass.; House Document No. 96, Seventy-fifth Congress;

Scituate Harbor, Mass.; Rivers and Harbors Committee Document No. 26, Seventy-fifth Congress;

Cuttyhunk Harbor, Mass.; House Document No. 81, Seventy-fifth Congress;

Edgartown Harbor, Mass.; Senate Commerce Committee Document, Seventy-fourth Congress;

New Bedford and Fairhaven Harbor, Mass.; Rivers and Harbors Committee Document No. 25, Seventy-fifth Congress;

Providence River and Harbor, R. I.; House Document No. 173, Seventy-fifth Congress;

New London Harbor, Conn.; Rivers and Harbors Committee Document No. 82, Seventy-fourth Congress;

Millford Harbor, Conn.; House Document No. 77, Seventy-fifth Congress;

Bridgeport Harbor, Conn.; House Document No. 232, Seventy-fifth Congress;

Stamford Harbor, Conn.; Rivers and Harbors Committee Document No. 29, Seventy-fifth Congress;

Greenport Harbor, N. Y.; Rivers and Harbors Committee Document No. 88, Seventy-fourth Congress;

Long Island Intracoastal Waterway, N. Y.; House Document No. 181, Seventy-fifth Congress;

New York Harbor: Ambrose, Anchorage, and Hudson River Channels; Senate Commerce Committee Document, Seventy-fifth Congress;

Fire Island Inlet, N. Y.; Rivers and Harbors Committee Document No. 33, Seventy-fifth Congress;

Newtown Creek, N. Y.; Rivers and Harbors Committee Document No. 4, Seventy-fifth Congress;

Irrington Harbor, N. Y.; House Document No. 244; Seventy-fifth Congress;

Raritan River, N. J.; Rivers and Harbors Committee Document No. 74, Seventy-fourth Congress;

Lemon Creek, Staten Island, N. Y.; Rivers and Harbors Committee Document No. 27, Seventy-fifth Congress;

Cohansey River, N. J.; Senate Commerce Committee Document, Seventy-fifth Congress;

Barnegat Inlet, N. J.; Rivers and Harbors Committee Document No. 85, Seventy-fourth Congress;

Delaware River between Philadelphia, Pa., and Trenton, N. J.; Rivers and Harbors Committee Document No. 90, Seventy-fourth Congress;

St. Jones River, Del.; Rivers and Harbors Committee Document No. 18, Seventy-fifth Congress;

Mispillion River, Del.; Rivers and Harbors Committee Document No. 83, Seventy-fourth Congress;

Rock Hall Harbor, Md.; House Document No. 204, Seventy-fifth Congress;

Island Creek, Md.; House Document No. 75, Seventy-fifth Congress;

Waterway from Little Choptank River to Choptank River, Md.; House Document No. 91, Seventy-fifth Congress;

Cambridge Harbor, Md.; Rivers and Harbors Committee Document No. 7, Seventy-fifth Congress;

Fishing Bay, Md.; House Document No. 186, Seventy-fifth Congress;

Nanticoke River, Md.; House Document No. 242, Seventy-fifth Congress;

Wicomico River, Md.; Senate Commerce Committee Document, Seventy-fifth Congress;

Upper Thoroughfare, Deals Island, Md.; House Document No. 76, Seventy-fifth Congress;

Crisfield Harbor, Md.; Rivers and Harbors Committee Document No. 2 and House Document Document No. 72, Seventy-fifth Congress;

Cypress Creek, Md.; House Document No. 161, Seventy-fifth Congress;

Northeast River, Md.; House Document No. 248, Seventy-fifth Congress;

Back Creek, Anne Arundel County, Md.; House Document No. 73, Seventy-fifth Congress;

Fishing Creek, Md.; House Document No. 241, Seventy-fifth Congress;
 St. Jeromes Creek, Md.; House Document No. 174, Seventy-fifth Congress;
 Neale Sound, Md.; House Document No. 159, Seventy-fifth Congress;
 Chincoteague Bay, Va.; House Document No. 233, Seventy-fifth Congress;
 Onancock River, Va.; House Document No. 74, Seventy-fifth Congress;
 Coan River, Va.; Rivers and Harbors Committee Document No. 30, Seventy-fifth Congress;
 Hoskins Creek, Va.; Rivers and Harbors Committee Document No. 8, Seventy-fifth Congress;
 James River, Va.; Rivers and Harbors Committee Document No. 68, Seventy-fourth Congress;
 Deep Creek, Va.; Rivers and Harbors Committee Document No. 76, Seventy-fourth Congress;
 Lafayette River, Va.; Rivers and Harbors Committee Document No. 5, Seventy-fifth Congress;
 Cashie River, N. C.; Rivers and Harbors Committee Document No. 31, Seventy-fifth Congress;
 Pamlico and Tar Rivers, N. C.; Rivers and Harbors Committee Document No. 22, Seventy-fifth Congress;
 Waterway connecting Pamlico Sound and Beaufort Harbor, N. C.; Rivers and Harbors Committee Document No. 92, Seventy-fourth Congress;
 Bay River, N. C.; Rivers and Harbors Committee Document No. 72, Seventy-fourth Congress, and House Document No. 185, Seventy-fifth Congress;
 Morehead City Harbor and Beaufort Inlet, N. C.; Senate Committee Document, Seventy-fourth Congress;
 Inland Waterway, Beaufort, N. C., to the Cape Fear River, including waterway to Jacksonville, N. C.; Rivers and Harbors Committee Document No. 16, Seventy-fifth Congress;
 Cape Fear River, N. C., above Wilmington; Rivers and Harbors Committee Document No. 17, Seventy-fifth Congress;
 Intracoastal Waterway from Cape Fear River, N. C., to Savannah, Ga.; Rivers and Harbors Committee Document No. 6, Seventy-fifth Congress;
 Ashley River, S. C.; House Document No. 449, Seventy-fourth Congress;
 Waterway between Beaufort, S. C., and St. Johns River, Fla.; Senate Commerce Committee Document, Seventy-fourth Congress;
 Intracoastal Waterway from Jacksonville to Miami, Fla.; House Document No. 180, Seventy-fifth Congress;
 Melbourne Harbor, Fla.; House Document No. 390, Seventy-fourth Congress;
 Miami Harbor, Fla.; Rivers and Harbors Committee Document No. 86, Seventy-fourth Congress;
 Caloosahatchee River and Lake Okeechobee Drainage Areas, Fla.; Rivers and Harbors Committee Document No. 28, Seventy-fifth Congress;
 Charlotte Harbor, Fla.; Rivers and Harbors Committee Document No. 95, Seventy-fourth Congress;
 Sarasota Bay, Fla.; House Document No. 80, Seventy-fifth Congress;
 St. Petersburg Harbor, Fla.; Rivers and Harbors Committee Document No. 71, Seventy-fourth Congress;
 Steinhatchee River, Fla.; Rivers and Harbors Committee Document No. 87, Seventy-fourth Congress;
 St. Marks River, Fla.; Rivers and Harbors Committee Document No. 77, Seventy-fourth Congress;
 St. Josephs Bay, Fla.; Rivers and Harbors Committee Document No. 10, Seventy-fifth Congress;
 Carabelle Bar and Harbor, Fla.; House Document No. 184, Seventy-fifth Congress;
 Pensacola Harbor, Fla.; Rivers and Harbors Committee Document No. 96, Seventy-fourth Congress;
 Mobile Harbor, Ala.; Rivers and Harbors Committee Document No. 69, Seventy-fourth Congress;
 Vinton Waterway, La.; House Document No. 160, Seventy-fifth Congress;
 Waterway from White Lake to Pecan Island, La.; House Document No. 78, Seventy-fifth Congress;
 Sabine-Neches Waterway, Tex.; Rivers and Harbors Committee Document No. 3, Seventy-fifth Congress;
 Louisiana and Texas Intracoastal Waterway, La. and Tex.; Senate Commerce Committee Document, Seventy-fifth Congress;
 Brazos Island Harbor, Tex.; Rivers and Harbors Committee Document No. 32, Seventy-fifth Congress;
 Ouachita and Black Rivers, Ark. and La.; Senate Commerce Committee Document, Seventy-fifth Congress;
 Black River, Wis.; Rivers and Harbors Committee Document No. 23, Seventy-fifth Congress;
 Indiana Harbor and Canal, Ind.; Rivers and Harbors Committee Document No. 13, Seventy-fifth Congress;
 Ontonagon Harbor, Mich.; Senate Commerce Committee Document, Seventy-fourth Congress;
 Cornucopia Harbor, Wis.; Senate Commerce Committee Document, Seventy-fifth Congress;
 Green Bay Harbor, Wis.; Rivers and Harbors Committee Document No. 73, Seventy-fourth Congress;
 Big Suamico River, Wis.; House Document No. 498, Seventy-fourth Congress;
 Manitowoc Harbor, Wis.; Rivers and Harbors Committee Document No. 80, Seventy-fourth Congress;

Pensaukee Harbor, Wis.; House Document No. 478, Seventy-fourth Congress;
 Harbors at Washington Island, Wis.; House Document No. 90, Seventy-fifth Congress;
 Grand Haven Harbor, Mich.; Rivers and Harbors Committee Document No. 1, Seventy-fifth Congress;
 Frankfort Harbor, Mich.; House Document No. 511, Seventy-fourth Congress;
 Detroit River, Mich.; House Document No. 205, Seventy-fifth Congress;
 Cheboygan Harbor, Mich.; House Document No. 134, Seventy-fifth Congress;
 Saginaw River, Mich.; Rivers and Harbors Committee Document No. 21, Seventy-fifth Congress;
 Put in Bay, Ohio; House Document No. 132, Seventy-fifth Congress;
 Rocky River Harbor, Ohio; House Document No. 70, Seventy-fifth Congress;
 Cleveland Harbor, Ohio; Rivers and Harbors Committee Document No. 84, Seventy-fourth Congress;
 Fairport Harbor, Ohio; Rivers and Harbors Committee Document No. 79, Seventy-fourth Congress;
 Ashtabula Harbor, Ohio; Rivers and Harbors Committee Document No. 78, Seventy-fourth Congress;
 San Diego Harbor, Calif.; Rivers and Harbors Committee Document No. 89, Seventy-fourth Congress;
 Newport Bay, Calif.; Senate Commerce Committee Document, Seventy-fifth Congress;
 San Francisco Harbor, Calif.; Rivers and Harbors Committee Document No. 12, Seventy-fifth Congress;
 Humboldt Bay and Harbor, Calif.; Rivers and Harbors Committee Document No. 11, Seventy-fifth Congress;
 Crescent City Harbor, Calif.; Senate Commerce Committee Document, Seventy-fifth Congress;
 San Joaquin River, Calif.; Rivers and Harbors Committee Document No. 15, Seventy-fifth Congress;
 Suisun Channel, Calif.; Rivers and Harbors Committee Document No. 97, Seventy-fourth Congress;
 Old River, Calif.; House Document No. 151, Seventy-fifth Congress;
 De Poe Bay, Oreg.; House Document No. 202, Seventy-fifth Congress;
 Skipanon Channel, Oreg.; House Document No. 201, Seventy-fifth Congress;
 Columbia River between the mouth of the Willamette and Vancouver, Wash.; Rivers and Harbors Committee Document No. 81, Seventy-fourth Congress;
 Columbia and Lower Willamette Rivers, below Vancouver, Wash., and Portland, Oreg.; House Document No. 203, Seventy-fifth Congress;
 Westport Slough, Oreg.; House Document No. 79, Seventy-fifth Congress;
 Elokomin Slough, Wash.; House Document No. 510, Seventy-fourth Congress;
 Columbia River between Vancouver, Wash., and Bonneville, Oreg.; Rivers and Harbors Committee Document No. 94, Seventy-fourth Congress;
 Bellingham Harbor, Wash.; Rivers and Harbors Committee Document No. 70, Seventy-fourth Congress;
 Olympia Harbor, Wash.; Rivers and Harbors Committee Document No. 75, Seventy-fourth Congress;
 Tacoma Harbor, Wash.; Rivers and Harbors Committee Document No. 91, Seventy-fourth Congress;
 Douglas Harbor and Juneau Harbor, Alaska; House Document No. 249, Seventy-fifth Congress;
 Wake Island; House Document No. 84, Seventy-fifth Congress;
 Welles Harbor, Midway Island; House Document No. 49 and Rivers and Harbors Committee Document No. 9, Seventy-fifth Congress;
 Guayanes Harbor, Puerto Rico; House Document No. 243, Seventy-fifth Congress;
 St. Thomas Harbor, Virgin Islands; House Document No. 200, Seventy-fifth Congress;

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 2, line 15, strike out the word "Massachusetts;" and insert in lieu thereof "Massachusetts;"

Page 3, line 8, after the word "Waterway", insert the words "New York."

Page 6, after line 20, insert "Channel from Back Sound to Look-out Bight, N. C.; House Document No. 251, Seventy-fifth Congress."

Page 7, line 13, strike out "Congress;" and insert "Congress;"

Page 11, after line 13, insert "Yaquina Bay and Harbor, Oreg.; Senate Commerce Committee Document, Seventy-fifth Congress."

Page 12, line 15, strike out "Douglas Harbor and."

Page 12, line 24, strike out "Islands;" and insert "Islands;"

The committee amendments were agreed to.

Mr. MANSFIELD. Mr. Chairman, I offer a number of additional committee amendments.

The Clerk read as follows:

Committee amendments offered by Mr. MANSFIELD: On page 2, between lines 19 and 20, insert "Newport Harbor, R. I.; Rivers and Harbors Committee Document No. 36, Seventy-fifth Congress."

On page 3, between lines 11 and 12, insert "Flushing Bay and Creek, N. Y.; Rivers and Harbors Committee Document No. 35, Seventy-fifth Congress."

On page 7, between lines 10 and 11, insert "Shipyard River, S. C.; Rivers and Harbors Committee Document No. 38, Seventy-fifth Congress."

"Savannah River below Augusta, Ga.; Rivers and Harbors Committee Document No. 39, Seventy-fifth Congress."

On page 8, between lines 19 and 20, insert "Bayous Petit Anse, Tigre, and Carlin, La.; Rivers and Harbors Committee Document No. 40, Seventy-fifth Congress."

On page 8, after line 26, insert "Channel from Pass Cavallo to Port Lavaca, Tex.; Rivers and Harbors Committee Document No. 37, Seventy-fifth Congress."

The committee amendments were agreed to.

The Clerk read as follows:

Committee amendment: Page 9, between lines 5 and 6, insert: "Mississippi River between Missouri River and Minneapolis, Minn.: The existing project is hereby modified in accordance with the recommendation of the district engineer in the report submitted in Rivers and Harbors Committee Document No. 34, Seventy-fifth Congress."

Mr. MANSFIELD. Mr. Chairman, it might be well to have some discussion on the amendment just read, for it pertains to seepage on the Mississippi River and is a new proposition.

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. MANSFIELD. I may say to the gentleman from Iowa [Mr. EICHER] that we are now on this seepage proposition and I want the Members of the House to understand it because it is a new proposition. It is something we have never done before. I yield the balance of my time to the gentleman to explain it to the House.

Mr. EICHER. Mr. Chairman, this is a provision to take care of the seepage, backwater, and extra pumping-cost damages that will be caused to about 25 drainage and levee districts along the Mississippi River between Muscatine, Iowa, and St. Louis, Mo., by reason of the locks and dams of the 9-foot channel. It is a matter that has been under consideration by the Rivers and Harbors Committee for 7 or 8 years, I would say, and has been given very careful thought and study. The amendment that the gentleman from Texas [Mr. MANSFIELD] just referred to has been adopted by the Rivers and Harbors Committee upon the recommendation of the Corps of Engineers of the War Department. I do not believe that the House, with the confidence it has in the conscientious study that the Committee on Rivers and Harbors always gives to matters that are presented to it for consideration, cares to have me take time to go into a detailed explanation of what this involves. Numerous and exhaustive hearings have been held by the committee, which are available to Members who may wish to inform themselves more fully.

The CHAIRMAN. The question is on the committee amendment. The committee amendment was agreed to.

Mr. ROBERTSON. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. ROBERTSON: Page 2, line 3, after the words "acts of Congress", insert "which said investigation and improvements shall include a due regard for wildlife conservation."

Mr. ROBERTSON. Mr. Chairman, it frequently occurs in river work and construction of dams that by due regard to conservation interests a dual purpose can be served. I do not imagine that anybody will have any objection to the insertion of the words carried in this amendment, that in formulating plans hereafter for the improvement of rivers and harbors the War Department, through the Secretary of War and the Corps of Engineers, shall give due regard to conservation interests.

I have in mind one particular example. During the war they wanted to expedite shipping in the Albemarle-Chesapeake Canal and they took out the locks. The salt water and the pollution from the harbor seeped into the Sound and into Back Bay, two of the greatest ducking areas on the Atlantic Coast were seriously affected. Conditions became so bad in those areas that the Government had to

put the locks back, and it cost \$500,000 to restore them. The gentleman from North Carolina [Mr. WARREN] reminds me that it took us 7 years to get them put back, during which time a great industry and a great natural resource was almost wiped out in that area.

I have shown this amendment to the chairman of the Committee on Rivers and Harbors who has no personal objection. I do not imagine any member of the committee will object, and I feel it may add something to the administrative value of this measure. The Corps of Engineers of the War Department is a brilliant organization and one of high efficiency. It will be encouraging to the conservationist of the country to have it give due regard to wildlife conservation in connection with its river and flood-control work.

Mr. CARTER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as one member of the committee, may I say I am very much in sympathy with this amendment, and I feel it will in no way hinder the river and harbor work. I feel it is a very constructive step toward the conservation of wildlife.

While it is true the committee did not consider this amendment, I am sure there is no objection from any member of the committee to the amendment.

Mr. THOMPSON of Illinois. Mr. Chairman, I rise in opposition to the pro-forma amendment.

Mr. Chairman, I favor the amendment offered to this omnibus river and harbor bill by the gentleman from Virginia [Mr. ROBERTSON]. I desire, however, to protest the present policy of the War Department in connection with the acquisition of lands on the upper Mississippi River between the mouth of the Missouri River and the cities of St. Paul and Minneapolis. I do not know whether all the Members of the House are familiar with the vastness of the 9-foot channel project on the Mississippi or not. It will cost the Federal Government about \$148,000,000 before it is complete—the construction program extending over a period of years. Most naturally it is necessary for the engineers to acquire outright or to obtain flowage rights in order to have some place for the water to go when this 9-foot channel project is placed in operation, it being, incidentally, a lock and dam project, from the head of the river down to just above St. Louis.

The Corps of Engineers, in my opinion, has been rather ruthless in their acquisition of land that is very suitable for conservation purposes. In the district I represent a good many citizens have invested large sums of money for camps, hunting lodges, and places to go fishing and are perfectly willing in most cases to grant the United States Government flowage rights upon the payment of \$1, and take their chance with reference to where the stage of water will be when the project is completed. But apparently that is contrary to the fixed policy of the Corps of Engineers, and I may say in passing I have no criticism of the Corps of Engineers and their fine work.

I think it is one of the outstanding departments of the Federal Government, but I disagree with their policy of taking over this land and not permitting owners to hold it and use it mostly for recreational purposes. In some cases where condemnation proceedings to take over this land used for recreational purposes has been started, the Corps of Engineers is cutting down all the trees, tearing out all of the underbrush, and every element that we commonly know in this country as suitable for wildlife conservation.

I think the Congress should take cognizance of this and action commenced in this body along the line suggested by the gentleman from Virginia to the end that what little wildlife we have in the Middle West may be preserved, and the owners of these hunting lodges and fishing shacks, if they may be called that, be permitted to retain their holdings and enjoy wildlife sports as they have for many, many years. I hope, therefore, that the committee will adopt the amendment now pending before the committee, because I believe it is a step in the right direction. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. ROBERTSON].

The amendment was agreed to.

Mr. PETERSON of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PETERSON of Florida: Page 8, after line 15, insert the following:

"Clearwater Harbor, Fla., including Big Pass, 12 feet deep by 200 feet wide, provided local interests guarantee maintenance satisfactory to the Chief of Engineers."

Mr. PETERSON of Florida. Mr. Chairman, this involves an improvement costing only \$31,500. The situation actually is this: Upon a survey it has been determined that the improvement will be of great benefit, and that the expenditure of this amount is justifiable questioning only this fact: The cost of cutting the pass is the small amount I have mentioned, but it was thought by the Corps of Engineers that in order to prevent the cut from silting it would be necessary to have jetties built, which would cost \$175,000. However, in the report of the Board of Engineers it is stated that it is conceivable the silting might be gradual over a period of time. This report came in only 2 days after this bill was reported by the committee, so we have not had time to have the necessary resurvey. However, in order not to embarrass the Committee, to be fair, and to show our interest in this project, in the amendment which I have proposed I have provided the following conditions, "Provided local interests guarantee maintenance satisfactory to the Chief of Engineers."

This project is a needed improvement. As a matter of information to the House the F. E. R. A. built a fish-canning and processing plant there, which, according to the report, will employ workers to the number of between 300 and 400. However, the channel is such that deep-draft fish boats cannot get into the harbor.

The amount involved is only \$31,500. We are willing to guarantee any form of maintenance the Chief of Engineers wants, and I have so provided in this amendment. We would also contribute a part of the cost. I sincerely trust the House will agree to the amendment.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. PETERSON of Florida. Yes.

Mr. DONDERO. Is the condition the gentleman sets up satisfactory to the Corps of Engineers?

Mr. PETERSON of Florida. They think the cut will silt in, but they do not know over how long a period of time.

Mr. DONDERO. Perhaps this suggestion may solve the gentleman's problem: Wait until the bill reaches the Senate, see if a report cannot be obtained from the Corps of Engineers, and then ask that the amendment be added when this bill reaches the Senate for consideration.

Mr. PARSONS. Mr. Chairman, if the gentleman will permit, I think the engineers have made a report.

Mr. PETERSON of Florida. Yes. The report is adverse, based upon supposition that the maintenance cost might be too great, and that protecting jetties would be needed. Frankly, the Corps of Engineers think it is too big an undertaking for us to attempt the maintenance of this channel, but my people are willing to maintain it and are willing to guarantee it. We will make the form of guaranty acceptable to the Army engineers.

I hope you will agree to this amendment.

Mr. CARTER. Has this matter ever been considered by the House Committee on Rivers and Harbors?

Mr. PETERSON of Florida. No; not formally. The report came in 2 days after the bill was reported by the committee. Frankly, the report is adverse. I do not mean to tell the Committee it is not, but the improvement is needed and this is recognized in the report, and the silting may be gradual.

Mr. CARTER. Then the gentleman is asking the Committee to agree to his amendment in face of the fact the gentleman has had an adverse report on his project and the Committee on Rivers and Harbors has never seen the gentleman's proposal at all. Is this the situation?

Mr. PETERSON of Florida. The rivers and harbors bill was reported out before the report of the Army engineers was received. The proposed amendment was submitted to the chairman of the committee.

Mr. CARTER. Yes; but the Committee on Rivers and Harbors considered a number of proposals which came in after the bill was reported. I think the gentleman is making a most unreasonable request when he comes in with an adverse report on a proposal which has never been considered by the Committee on Rivers and Harbors and asks this committee to insert in the rivers and harbors bill an amendment covering his proposal. I sincerely trust the Committee will not establish a precedent of this kind.

Mr. PETERSON of Florida. They were favorable reports, as I understand. The adverse report is based solely on the question of maintenance. Other passes are not jettied. Our engineers and the district engineers approve. Time alone will show, and we feel so sure that we will guarantee any form of maintenance the committee wants to write into the amendment.

I hope you will vote for the amendment.

[Here the gavel fell.]

Mr. MANSFIELD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the law provides that in making up rivers and harbors bills we shall first submit a survey to the Corps of Engineers of the War Department. They go upon the ground, make a thorough investigation, and report back every fact, with their recommendation either for or against the proposed improvement. After this is done, the committee goes further and holds most thorough investigations upon the proposals. We do not even adopt every project upon which the engineers report favorably, but we have never and cannot under the law report a project which has not been favorably reported upon by the engineers.

To abolish this rule will be to go back to the old pork-barrel schemes of 40 years ago, and the whole program will come into disgrace not only here but in the eyes of the country at large. We are getting a fairly clean program of river and harbor improvements now, and we have done so only by adhering strictly to the law. I have two projects in my district upon which I have unfavorable reports, both of which are far superior to the one now under consideration. I am not asking that they be put into this rivers and harbors bill, because it would be inconsistent for me to do so. I am not going to break the rule, and I hope the House will not break the rule and override the law. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. PETERSON].

The amendment was rejected.

Mr. PARSONS. Mr. Chairman, I ask unanimous consent that the reading of sections 2, 3, and 4, beginning at the top of page 13 and ending with line 7, on page 23, may be dispensed with and this portion of the bill printed in the RECORD, and that following the consideration of the committee amendments, amendments which any Member may desire to offer may be considered.

Mr. MANSFIELD. Mr. Chairman, will the gentleman yield?

Mr. PARSONS. I yield.

Mr. MANSFIELD. We have a number of surveys to add.

Mr. PARSONS. I am including them in this request.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The sections of the bill referred to are as follows:

SEC. 2. That the \$12,000,000 recommended for expenditure for a part of the Central Valley project, California, in accordance with the plans set forth in Rivers and Harbors Committee Document No. 35, Seventy-third Congress, and adopted and authorized by the provisions of section 1 of the act of August 30, 1935 (49 Stat. 1028, at 1038), entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", shall, when appropriated, be available for expenditure in accordance with the said plans by the Secretary of the Interior instead of the Secretary of War: *Provided*, That the transfer of authority from the Secretary of

War to the Secretary of the Interior shall not render the expenditure of this fund reimbursable under the reclamation law: *Provided further*, That the entire Central Valley project, Calif., heretofore authorized and established under the provisions of the Emergency Relief Appropriation Act of 1935 (49 Stat. 115) and the First Deficiency Appropriation Act, fiscal year 1936 (49 Stat. 1622), is hereby reauthorized and declared to be for the purposes of improving navigation, regulating the flow of the San Joaquin River and the Sacramento River, controlling floods, providing for storage and for the delivery of the stored waters thereof, for the reclamation of arid and semiarid lands and lands of Indian reservations, and other beneficial uses, and for the generation and sale of electric energy as a means of financially aiding and assisting such undertakings and in order to permit the full utilization of the works constructed to accomplish the aforesaid purposes: *Provided further*, That, except as herein otherwise specifically provided, the provisions of the reclamation law, as amended, shall govern the repayment of expenditures and the construction, operation, and maintenance of the dams, canals, power plants, pumping plants, transmission lines, and incidental works deemed necessary to said entire project, and the Secretary of the Interior may make and enter into repayment contracts with the Water Project Authority of the State of California and other necessary contracts, and may acquire by proceedings in eminent domain, or otherwise, all lands, rights-of-way, water rights, and other property necessary for said purposes: *And provided further*, That the said dam and reservoirs shall be used, first, for river regulation, improvement of navigation, and flood control; second, for irrigation and domestic uses; and, third, for power.

Sec. 3. That for the purpose of improving navigation, controlling floods, regulating the flow of streams, providing for storage and for delivery of stored waters, for the reclamation of lands, and other beneficial uses, and for the generation of electric energy as a means of financially aiding and assisting such undertaking, the project known as "Marshall Ford Dam, First Stage", Colorado River project, in Texas, is hereby authorized and adopted and all contracts and agreements which have been executed in connection therewith are hereby validated and ratified, and the Secretary of the Interior, acting through such agents as he may designate, is hereby authorized to construct, operate, and maintain all structures and incidental works necessary to such project, and in connection therewith to make and enter into any and all necessary contracts including contracts amendatory of or supplemental to those hereby validated and ratified.

Sec. 4. The Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys to be made at the following-named localities, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That no preliminary examination, survey, project, or estimate for new works other than those designated in this or some prior act or joint resolution shall be made: *Provided further*, That after the regular or formal reports made as required by law on any examination, survey, project, or work under way or proposed are submitted no supplemental or additional report or estimate shall be made unless authorized by law: *And provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this act until the project for the proposed work shall have been adopted by law:

Inland waterway between Merrimack River, Mass., and Hampton Harbor, N. H., by way of Black Rock Creek and Blackwater River.

Harbor of refuge at or in the vicinity of Swampscott, Mass.
 Scituate Harbor, Mass.
 Saugus River, Mass.
 Nantasket (Hull) Gut, Mass.
 Wellfleet Harbor, Mass.
 Padanaram Harbor, at South Dartmouth, Mass.
 Warren River and Barrington Harbor, R. I.
 Connecticut River, below Hartford, Conn., including North Cove in the town of Old Saybrook.
 Mianus River, Conn.
 Westcott Cove, Conn.
 Norwalk Harbor, Conn.
 Greenwich Harbor, Conn.
 Orowock Creek, N. Y.
 Huntington Harbor, N. Y.
 Northport Harbor, N. Y.
 Bronx Kills and Harlem River, N. Y.
 Cedar Creek, N. J.

Inland waterway through Cumberland, Cape May, and Atlantic Counties, N. J., connecting the mouth of Fortescue Creek with Atlantic City.

Waterway from Pleasantville, N. J., through Lake Bay, to deep water at Atlantic City, including connecting channel to Ocean City.

Choptank River, Md.
 Duck Point Cove and Tedious Creek, Md.
 Lower Thoroughfare, Deals Island, Md.
 Town River, at Oxford, Md.
 Hearn's Creek, Dorchester County, Md.
 Middle River and Dark Head Creek, Back River to Chesapeake Bay via Harts Island Narrows, and a cut-off channel from Gunpowder River to Chesapeake Bay via Spry Island Narrows, Md.
 St. Patricks Creek, St. Marys County, Md.

Sloope Cove, an arm of Stoney Creek, Anne Arundel County, Md.
 St. Catherines Sound, St. Marys County, Md.
 Mill Creek, Anne Arundel County, Md.
 Plum Point Creek, Calvert County, Md.
 Channel to Island Creek, St. Georges Island, St. Marys County, Md.

Channel connecting Herring Bay via Rockhole Creek to West River, Anne Arundel County, Md.

Smaller's Drain, Assateague Island, Va.
 Channels at and near Hog Island, Va., with a view to their protection and preservation; also the protection of Hog Island and property thereon from erosion and storms.

Assateague Channel, Accomac County, Va., with a view to its protection and preservation; also the protection of Chincoteague Island and property thereon from erosion and storms.

Channel leading from Broadway Road, near Cashville, Accomac County, Va., to deep water in Onancock River.

Chincoteague Bay, Accomac County, Va., with a view to providing a protected anchorage and harbor for small boats at Chincoteague, Va.

Hulls Creek and Rogers Creek, Northumberland County, Va.
 Greenvale (Fairweather) Creek, Lancaster County, Va.

Whitings Creek, Middlesex County, Va.
 Meachims Creek, Middlesex County, Va.

Queens Creek, Mathews County, Va., to provide adequate channel to deep water in Hills Bay.

Garden Creek, Mathews County, Va.
 Western shores of Chesapeake Bay from Plum Point, York County, Va., to the waters of Hampton Roads, with a view to protecting the navigable waters of Chesapeake Bay and Hampton Roads from shoaling.

Roanoke River, N. C., from Weldon to Williamston, with a view to improvement in the interest of navigation and flood control.

Contentnea Creek, N. C., from a point near Wilson to its confluence with the Neuse River, with a view to improvement in the interest of navigation and flood control.

Waterway, approximately 8 feet deep and 50 feet bottom width, from Crescent Lake, Fla., by way of Haw Creek to Bunnell, thence by way of a land cut to the sea at Flagler Beach.

Canaveral Harbor, Fla.
 Channel from the Intracoastal Waterway to a point at or near Vero Beach, Fla.

Waterway from Punta Rasa, Fla., by way of the Caloosahatchee River and Canal, Lake Okeechobee, and St. Lucie Canal and River, to the Intracoastal Waterway at Stuart.

Hillsboro River, Fla., from the upper end of the existing project to Sulphur Springs.

Anclote River, Fla.
 Pithlachascotee River, Fla.

Hudson Creek, Pasco County, Fla.
 Weekiwachee River, Fla.

Florida River, Liberty County, Fla., and the Apalachicola River at and near the mouth of the Florida River.

Waterway between a suitable point on the channel from Apalachicola River to St. Andrews Bay, Fla., and a suitable point in St. Josephs Bay where the depth of said bay is 30 feet or more.

East Pass Channel from the Gulf of Mexico into Choctawhatchee Bay, Fla.

Valley Creek, Ala., to a point at or near Birmingham.
 Back Bay of Biloxi, Miss.

Lake Pontchartrain, La., between the New Basin Canal and the Industrial Canal, for a harbor of refuge.

Deep-water channel from New Iberia to the Gulf of Mexico.
 Sabine-Neches Waterway, Tex.

Texas City Channel, Tex.
 Channel from Palacios, Tex., and Camp John A. Hulen to the Intracoastal Waterway.

Corpus Christi, Tex., with a view to its protection by the construction of breakwaters, sea walls, or jetties.

Carter Lake, Iowa and Nebr.
 Meredosia Bay, Illinois River, Ill.

Tanners Creek, Dearborn County, Ind.
 Gladstone Harbor, Mich.

Escanaba Harbor, Mich.
 Miller Bay, Lake Winnebago, Wis.

Mona Lake (Lake Harbor) Channel, Mich.
 Kenosha Harbor, Wis.

The Indiana shore of Lake Michigan, with a view to the establishment of a harbor at the most suitable site.

Harbors at Glen Haven and Glen Arbor, Mich.
 The coasts of the Great Lakes, with a view to the establishment of harbors of refuge for light-draft vessels.

Grand Traverse Bay, Mich.
 Put in Bay, Ohio.

Ottawa River, Ohio.
 Wilson Harbor, N. Y.

Upper Newport Bay, Calif.
 Harbor at Playa Del Ray, Calif.

Monterey Harbor, Calif.
 San Lorenzo River, Calif.

Sonoma Creek, Calif.
 Benicia Harbor, Solano County, Calif.

Smugglers Cove (Short Sands Beach), Oreg.
 Channel at Knappton, Wash.

Columbia River at and in the vicinity of Camas, Wash.
 Unga Harbor, Alaska.

Seldovia Harbor, Alaska.
Waterway to connect Tenakee Inlet and Port Frederick on Chichagof Island, Alaska.
Wrangell Harbor, Alaska.
Craig Harbor, Alaska.
Grantley Harbor at Teller, Alaska.
Mount of Sinuk River, Alaska.
Elfin Cove, Alaska.
Myers Chuck Harbor, Alaska.
Jobos Harbor, Guayama, P. R.
Fajardo Harbor, Fajardo, P. R.
Guayanilla Harbor, Guayanilla, P. R.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 14, line 11, after the word "may", strike out the remainder of line 11 and all of lines 12 and 13, and insert the following: "enter into repayment contracts, and other necessary contracts, with State agencies, authorities, associations, persons, and corporations, either public or private, including all agencies with which contracts are authorized under the reclamation law."

The committee amendment was agreed to.

The Clerk read as follows:

Page 19, after line 14, insert:
"Beresford Creek, S. C., from river to Bridge Farm Wharves."

The amendment was agreed to.

Page 20, after line 4, insert:
"Waterway from Anclote River, by way of Lake Butler, to a point near Safety Harbor on Old Tampa Bay, Fla."

The amendment was agreed to.

Page 20, after line 20, insert:
"Gulfport Harbor, Miss.
"Bayou Legare, Miss., at the mouth of the Jordan River."

The amendment was agreed to.

Page 22, after line 9, insert:
"Collinsville Cut, Solano County, Calif.
"Werner Cut, near Werner, Contra Costa County, Calif."

The amendment was agreed to.

Page 23, after line 1, insert:
"Hilo Harbor, Hawaii, including consideration of methods to prevent shoaling by the flow of lava."

The amendment was agreed to.

Mr. MANSFIELD. Mr. Chairman, I offer a number of further committee amendments.

The Clerk read as follows:

Committee amendments offered by Mr. MANSFIELD: On page 16, between lines 10 and 11, insert:
"Boston Harbor, Mass."

The amendment was agreed to.

On page 17, between lines 2 and 3, insert:
"Rondout Harbor, N. Y.
"Great Kills, Staten Island, N. Y.
"Inland waterway from Delaware River to Chesapeake Bay, Delaware and Maryland, with a view to dredging a turning basin in the vicinity of the Chesapeake Cruising Club Docks at Chesapeake City."

The amendment was agreed to.

Page 17, line 20, strike out "Sloop" and insert "Eli."

The amendment was agreed to.

On page 18, between lines 4 and 5, insert:
"Pocomoke River, Md., from a point above Snow Hill to deep water in Pocomoke Sound.
"Inland waterway from Ocean City, Md., to Chincoteague Bay."

The amendment was agreed to.

On page 19, between lines 7 and 8, insert:
"Burrwells Bay, Va.
"Southern branch of Elizabeth River, Norfolk Harbor, Va.
"Inland waterway from Norfolk, Va., to Beaufort Inlet, N. C., with a view to the protection of lands in the vicinity of the lock at Great Bridge against flooding by storm tides.
"Belhaven Harbor, N. C.
"Neuse River, N. C., with a view to improvement for navigation and flood control between the Johnson County line and New Bern."

The amendment was agreed to.

On page 19, between lines 23 and 24, insert:
"Channel from main channel of the Intracoastal Waterway to the mainland of Sebastian, Fla."

The amendment was agreed to.

On page 20, between lines 8 and 9, insert:
"Fenholloway River, Fla."

The amendment was agreed to.

On page 20, after line 24, insert:
"Mississippi River at and near New Orleans, La."

The amendment was agreed to.

On page 21, between lines 8 and 9, insert:
"Channel connecting San Antonio Bay, Tex., with the Gulf of Mexico."

The amendment was agreed to.

On page 21, between lines 21 and 22, insert:
"Petoskey Harbor, Mich."

The amendment was agreed to.

On page 22, between lines 8 and 9, insert:
"Noyo River, Calif., including harbor at the mouth thereof."

The amendment was agreed to.

Mr. WARREN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WARREN: On page 19, strike out lines 8, 9, and 10.

Mr. WARREN. Mr. Chairman, it is quite evident that lines 8, 9, and 10, on page 19, were placed in the bill by mistake, as the survey for this river is now going on.

The amendment was agreed to.

Mr. WARREN. Mr. Chairman, I offer a further amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. WARREN: Page 19, after line 7, insert the following paragraph:
"Channel leading from the southeasterly end of Rollinson Channel, N. C., to the wharves in front of the town of Hatteras, N. C."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WARREN. Mr. Chairman, also the following amendment.

The Clerk read as follows:

Page 19, insert the following paragraph:
"Channel from Pamlico Sound through Pugh's Channel to the town of Rodanthe, N. C."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CARTER. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CARTER: After line 12, on page 22 insert the following:
"Alamitos Bay, Los Angeles, Calif."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PHILLIPS. Mr. Chairman, I move to strike out the last word. First of all, on behalf of the people of my district I wish to express my gratitude to the Rivers and Harbors Committee for the careful consideration given us in our part of Connecticut. We feel that the Rivers and Harbors Committee, so far as we are concerned, has done a fine, conscientious job, and, regarding other districts, too, I think that is the general feeling in the House.

Having said that, I call the attention of the Members of the House, and of course, respectfully, that of the chairman and members of the Committee on Rivers and Harbors, to a salient omission in the bill and that is the omission of an amount of money specifically designated to reopen the old closed railroad canal across New Jersey. I remind the committee that should anyone desire to navigate a pleasure craft or in fact any kind of a craft, inland, from New London, Conn., to Florida, that individual could complete that navigation with a small craft all the way from New London, Conn., to Florida, with the exception of a short strip of only 44 miles up and down the whole eastern seaboard of the United States, that is, 44 miles across the State of New Jersey. According to figures which I have,

and which I believe to be correct, for the sum of \$22,000,000—that is a lot of money, but think what we would get for it—those 44 miles across the State of New Jersey could be reopened and traffic could go inland all the way from New London, Conn., to Key West, Fla., and into the Gulf. But because of those 44 miles what must now be done? A craft must navigate outside in the Atlantic Ocean. Somebody may say that this takes only 2 hours.

This is true, but that craft in navigating during those 2 hours must navigate across waters, if it is lucky enough to do it, where the *Morro Castle* disaster took place, and where the *Vestris* disaster also took place. Turning the matter around positively, think what it would mean to the shipyards, think what it would mean to the resorts, and to the merchants up and down the Atlantic seaboard if those 44 miles could be reopened. I trust, and the people of my district hope, that before another river and harbor bill is brought before the Members of this House, \$22,000,000, or if it can be done for less, so much the better, may be appropriated to reopen those 44 miles of closed canal. [Applause.]

Mr. GREEN. Mr. Chairman, will the gentleman yield?

Mr. PHILLIPS. Yes.

Mr. GREEN. I am in sympathy with the project mentioned by the gentleman. It is obvious that this New Jersey canal should be opened. Then there will be an inland waterway to Jacksonville, Fla., and on to Miami, and with the completion of the canal across Florida, then we will have with the completion of the canal to which the gentleman refers in New Jersey, an inland protected waterway all the way from Boston to the Rio Grande River.

Mr. PHILLIPS. That is correct.

Mr. GREEN. It is obvious that those two links will be constructed, and I am glad the gentleman favors it.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. BRADLEY. Mr. Chairman, I rise in opposition to the pro-forma amendment to ask a question of the chairman of the committee. It is my understanding that projects in connection with the Delaware River are being considered right now by the Army engineers. However, I do not see them listed among those surveys which are authorized. Can the chairman tell me if they have been authorized by prior acts?

Mr. MANSFIELD. In reply to the gentleman I will say that the river and harbor bill of 1935 embraced the surveys for those projects which are now being considered by the engineers of the War Department. They have not yet reported upon them and therefore they do not appear in the present bill. We will endeavor to consider them impartially when the reports come in.

In regard to the Raritan Canal, I join with the gentleman from Connecticut [Mr. PHILLIPS] in his remarks. That lack of waterway across the State of New Jersey has been referred to as the "missing link" in the intercoastal waterway from Boston to Miami. However, that is also in the hands of the Army engineers. We have been working on that matter for years and years. They have submitted partial reports on several occasions, but the cost was so tremendously great that they have never been adopted. That canal was constructed many years ago by private interests. It fell into the hands of the Pennsylvania Railroad and, I now understand, belongs to the State of New Jersey, does it not?

Mr. PHILLIPS. Yes, sir; it does.

Mr. MANSFIELD. It is a complicated proposition.

In time a channel will be cut across New Jersey to connect the ports of Philadelphia and New York, not only for a barge canal but for a ship channel, and perhaps you may get it as soon as the gentleman from Florida gets his Florida ship canal. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

Sec. 5. That the Secretary of War is hereby authorized and directed to cause a survey to be made of the Ohio River and its tributaries to ascertain what pollutive substances are being deposited, directly or indirectly, therein and the sources and extent of such deposits, and with a view to determining the most feasi-

ble method of correcting and eliminating the pollution of these streams.

The survey herein authorized shall include comprehensive investigations and studies of the various problems relating to stream pollution and its prevention and abatement. In making these investigations and studies, and in the development and formulation of corrective plans, the Secretary of War may, with the approval of the Secretary of the Treasury, secure the cooperation and assistance of the Public Health Service, and may allot funds from the appropriation hereinafter designated to pay for such cooperation and assistance. The survey shall be completed as soon as practicable after the passage of this act, and the Secretary of War shall report the results thereof to the Congress, together with such recommendations for remedial legislation as he deems advisable.

The cost of the survey, and such incidental expenses as may be necessary in connection therewith, shall be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Sec. 6. That all of that portion of Scajaquada Creek, Buffalo, N. Y., above a line 130 feet west of the west line of Niagara Street, be, and the same is hereby, declared to be a nonnavigable stream within the meaning of the Constitution and laws of the United States of America. That the right of Congress to alter, amend, or repeal this section is hereby expressly reserved.

Mr. MANSFIELD. Mr. Chairman, section 6 should be eliminated. A bill has already passed the House, reported by the Committee on Interstate and Foreign Commerce, covering this matter. I ask that it be stricken from the bill.

Mr. BEITER. Mr. Chairman, I move to strike out section 6.

The Clerk read as follows:

Amendment offered by Mr. BEITER: Beginning on page 24, line 8, strike out all of section 6.

Mr. BEITER. Mr. Chairman, in making this request I might explain to the committee that at the time the City Council of the City of Buffalo requested Scajaquada Creek to be declared a nonnavigable stream I asked the War Department to draft a bill for me that I might present to the House. At the time two bills were drafted. One was referred to the Committee on Rivers and Harbors and the other was referred to the Committee on Interstate and Foreign Commerce. I find that the Committee on Interstate and Foreign Commerce reported the bill on March 1, 1937, along with Report No. 332. It was on the House calendar and passed the House on March 15, 1937. It was reported in the Senate on April 29, 1937, and passed the Senate on May 3, 1937. It was approved on May 14, 1937, and is now Public Law No. 80. Therefore the legislation is unnecessary.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. BEITER].

The amendment was agreed to.

Mr. MANSFIELD. Mr. Chairman, section 6 having been stricken out necessarily changes the numbers of the following sections. I ask unanimous consent that the Clerk may make all necessary corrections to correspond.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

Sec. 7. That the project for the maintenance and operation of the lock and dam at Little Callao Landing, mile 62, Big Sunflower River, Miss., be, and the same is hereby, abandoned. That the right of Congress to alter, amend, or repeal this section is hereby expressly reserved.

Sec. 8. That the project for improvement of the existing channel of that section of the Sabine-Neches Waterway, Tex., south and west of Harbor Island from a point opposite Orleans Street, in the city of Beaumont, Tex., to the junction of the main channel in the Neches River, be, and the same is hereby, abandoned. That the right of Congress to alter, amend, or repeal this section is hereby expressly reserved.

Sec. 9. That authority is hereby granted to the State of Oregon, acting through its highway department, and to the city of Eastside, Coos County, Oreg., a municipal corporation organized under the laws of the State of Oregon, to construct, maintain, and operate, at a point suitable to the interest of navigation, a dam and dike for preventing the flow of tidal waters into Willanch Slough in Coos County, Oreg.

Work shall not be commenced on such dam and dike until the plans therefor, including plans for all accessory works, are submitted to and approved by the Chief of Engineers and the Secretary of War, who may impose such conditions and stipulations as they deem necessary to protect the interests of the United States.

The authority granted by this section shall terminate if the actual construction of the dam and dike hereby authorized is not commenced within 1 year and completed within 3 years from the

date of the passage of this act. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 25, line 21, strike out the word "act" and insert the word "section."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 10. That authority is hereby granted to the State of Oregon, acting through its highway department, to the North Slough Drainage District, and to the North Slough Diking District, organized under the laws of the State of Oregon, to construct, maintain, and operate, at a point suitable to the interests of navigation, a dam and dike for preventing the flow of tidal waters into North Slough in Coos County, Oreg., in township 24 south, range 13 west, Willamette meridian.

Work shall not be commenced on such dam and dike until the plans therefor, including plans for all accessory works, are submitted to and approved by the Chief of Engineers and the Secretary of War, who may impose such conditions and stipulations as they deem necessary to protect the interests of the United States.

The authority granted by this act shall terminate if the actual construction of the dam and dike hereby authorized is not commenced within 1 year and completed within 3 years from the date of the passage of this act. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Line 17, page 26, strike out the word "act" and insert the word "section."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 11. That the laws of the United States relating to the improvement of rivers and harbors, passed between March 4, 1913, until and including the laws of the first session of the Seventy-fifth Congress, shall be compiled under the direction of the Secretary of War and printed as a document, and that 600 additional copies shall be printed for the use of the War Department.

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. LUCAS, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 7051, pursuant to House Resolution No. 241, he reported the same back to the House with sundry amendments adopted in Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The committee amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

On motion by Mr. MANSFIELD, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. IZAC. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. IZAC. Mr. Speaker, in the name of the people of the Twentieth Congressional District of California, I want to take this opportunity to thank the Members of the House and, in particular, the members of the Rivers and Harbors Committee for the consideration they have given the problem of dredging in San Diego Bay.

The Federal Government, with an investment of some \$40,000,000 and an annual pay roll of almost half that much, is deeply interested in the proper development of my part of the country.

Because of our strategic location, San Diego always will be the southwestern outpost of our national-defense structure. The greatest minds of this country are aware of the

value of a properly developed harbor in the first locality available within the continental limits of the United States north of the Panama Canal.

With only three natural harbors on the Pacific coast of the United States, we must ever guard most jealously, and conserve to the extent of our national ability, the superiority which the land-locked harbor of San Diego affords this Nation in its vital problem of national defense.

San Diego belongs to the Nation in an especial manner and in a more vital way than do most other sections of our great country. I am glad to see that San Diego's God-given advantages are recognized and that they receive the consideration to which their importance entitles them.

San Diego is proud to be of service to the Nation. It only asks that its natural advantages be fully developed for the benefit not only of its own citizens but for the greater benefit of all America. [Applause.]

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, the bill (H. R. 7493) entitled "An act making appropriations for the fiscal year ending June 30, 1938, for civil functions administered by the War Department, and for other purposes", insists upon its amendments to said bill, requests a conference with the House thereon, and appoints Mr. COPELAND, Mr. HAYDEN, Mr. THOMAS of Oklahoma, Mr. OVERTON, Mr. RUSSELL, Mr. McADOO, Mr. SHEPARD, Mr. TOWNSEND, Mr. BRIDGES, Mr. McNARY, and Mr. AUSTIN to be the conferees on the part of the Senate.

EXTENSION OF REMARKS

Mr. GREEN. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in the Committee on the rivers and harbors bill and to include therein one or two excerpts from extraneous sources.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

NONMILITARY ACTIVITIES, WAR DEPARTMENT

Mr. SNYDER of Pennsylvania. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7493) making appropriations for the fiscal year ending June 30, 1938, for civil functions administered by the War Department, and for other purposes, with Senate amendments, disagree to the amendments of the Senate, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. SNYDER of Pennsylvania, DOCKWEILER, TERRY, STARNES, COLLINS, CANNON of Missouri, POWERS, and ENGEL.

INTERSTATE TRANSPORTATION AND SALE OF NATURAL GAS

Mr. O'CONNOR of New York. Mr. Speaker, I call up House Resolution 242.

The Clerk read as follows:

House Resolution 242

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 6586, a bill to regulate the transportation and sale of natural gas in interstate commerce, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

Mr. O'CONNOR of New York. Mr. Speaker, does the gentleman from Michigan desire any time under the rule?

Mr. MAPES. Mr. Speaker, as far as I know, there is no opposition to the rule or to the bill. Some Members on this

side would like a few minutes to discuss the bill, but we do not care to take any time on the rule.

Mr. O'CONNOR of New York. Mr. Speaker, this is a rule for the consideration of the so-called natural-gas bill. It is an open rule. The Rules Committee were informed that the Interstate and Foreign Commerce Committee were unanimous in their report.

I do not believe there is need for further discussion under the rule.

Mr. Speaker, I move the previous question on the rule.

The previous question was ordered.

The resolution was agreed to.

Mr. LEA. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6586) to regulate the transportation and sale of natural gas in interstate commerce, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6586, with Mr. FADDIS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. LEA. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, as stated by the chairman of the Rules Committee, this bill was reported unanimously by the Interstate and Foreign Commerce Committee.

The statistics of the last 12 years tell an amazing story in reference to the gas industry of the United States. Today we have over 50,000 wells, located in 24 States, furnishing gas to consumers in 35 States. There are about 8,000,000 consumers in these 35 States.

In 1934, 1,770,000,000 cubic feet of gas was produced in this country. For this gas the consumers paid \$394,000,000; of which amount \$260,000,000 was paid for gas transported in interstate commerce.

Today we have 65,000 miles of gas-main pipe lines in the United States. In 1930, 302,000,000,000 cubic feet of gas was transported in interstate commerce. The amount today is the figure I just stated. Today over 41.5 percent of the gas produced in the United States moves in interstate commerce.

The domestic rates paid by the consumers at the present time is: For domestic use, 74.6 cents per 1,000 cubic feet; for commercial use, 49.6 cents; and for industrial use, 16.9 cents.

From 1934 to March 1936, the Federal Trade Commission investigated the gas industry for the purpose of recommending legislation to Congress. Thirty-six of the thirty-eight interstate gas companies reporting to the Federal Trade Commission reported a ledger value of these companies of \$1,600,000,000. This is the statistical background that gives the setting for this legislation.

The primary purpose of the pending bill is to provide Federal regulation, in those cases where the State commissions lack authority, under the interstate-commerce law. This bill takes nothing from the State commissions; they retain all the State power they have at the present time. This bill would apply to the transportation of natural gas in interstate commerce and to the sale of natural gas in interstate commerce for resale or public consumption.

Mr. THOMPSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. LEA. I yield.

Mr. THOMPSON of Illinois. Is there anything in this bill that would affect the relationship through which the large industrial consumer buys natural gas directly from the pipe-line company and not through a local distributing company or agency?

Mr. LEA. The question there involved is whether the purchase is for private consumption or resale to the public.

Mr. THOMPSON of Illinois. It would be for private consumption.

Mr. LEA. If it is for private consumption, it would not be affected by this act. If it were for public consumption, the gas rate would be regulated.

Mr. THOMPSON of Illinois. There is an industry in my district, I may say to the gentleman, which I understand buys natural gas directly from the pipe-line company. It has established its own connection. As I understand, this bill does not purport to regulate such a transaction or existing contracts of that nature.

Mr. LEA. Not unless it falls within the class of public consumption. A natural-gas company engaged in the transportation or sale of gas, as I have just indicated, is subject to regulation under this bill.

Mr. GREEVER. Mr. Chairman, will the gentleman yield?

Mr. LEA. I yield.

Mr. GREEVER. Do I understand from the gentleman's statement that where, for instance, each of two States has a public-service commission with jurisdiction of pipe lines this bill in no way affects their control of gas flowing through these pipe lines?

Mr. LEA. Well, it would depend on other circumstances.

This bill would not affect the local distribution of gas, but it might affect the city-gate rate that the local company would pay if it bought from an interstate company.

Mr. GREEVER. Then it would affect it to that extent?

Mr. LEA. Oh, yes, indeed. So far as the interstate price is concerned, it may very materially affect it. The interstate price would be subject to regulation by the Federal Power Commission. The city-gate rates in an interstate shipment could be controlled by the Federal Power Commission under this bill.

Mr. GREEVER. In other words, it would take the power away from the State commission to that extent?

Mr. LEA. The State commission does not have that power now.

The object of this bill is to supply regulation in those cases where the State commission has no power to regulate.

There are, however, some situations defined in the bill to which this regulation does not apply. One is local distribution on the principle that where commerce passes in interstate commerce and reaches the point of broken package, the local State commission then has the regulatory power. That same general rule applies to the transportation and sale of gas. So this act does not affect the local distribution of gas. It affects the local consumer's price only by regulating the price at the city gates. The facilities for local distribution are not within the power of regulation provided in the bill.

The bill does not apply to the production and gathering of gas.

Every gas company will be permitted to go into territories without restriction, with two exceptions: One is in the case of exportation or importation of gas over international boundaries, it will be necessary under those circumstances to get a permit from the Power Commission before that transaction may be carried on; the other exception is where one company enters a territory occupied by another, permission from the Federal Power Commission will be necessary to conduct that class of business.

In the main, this is what might be called standardized legislation. There is nothing particularly novel or new in the provisions of the bill.

Mr. BEVERLY M. VINCENT. Will the gentleman yield?

Mr. LEA. I yield to the gentleman from Kentucky.

Mr. BEVERLY M. VINCENT. In reference to the statement made just now, if a company wants to go into another territory, it must get permission from the Federal Power Commission?

Mr. LEA. To go into an already occupied territory.

Mr. BEVERLY M. VINCENT. That eliminates competition, does it not?

Mr. LEA. There is no prior competition there. Before you can have competition in the same territory a permit must be secured from the Power Commission; but there is

no general certificate of convenience and necessity required in order for a company to expand.

Mr. BEVERLY M. VINCENT. Will not the effect of this bill be to limit the competition in any field, or in any State?

Mr. LEA. It will be left to the Federal Power Commission.

Mr. BEVERLY M. VINCENT. And will not this regulation tend to increase the price to consumers?

Mr. LEA. No; it will not. The State commissions have been very strong in supporting this bill; believing it will save millions of dollars to the consumers of the country.

There are the usual provisions. Without attempting to go into detail, what I call usual provisions are those such as we find in all regulatory measures enacted by the Congress. This bill contains, for instance, administrative provisions; for rules affecting just and reasonable rates; for the power of the Commission to fix maximum or minimum rates or a specific rate after hearing; for the rule against discriminations and preferences as between consumers or localities; for the requirement that the schedules be kept open for public inspection; for the power of the Commission to suspend the rates where deemed unduly high. The bill covers the question of accounting, following standard lines; of giving the Commission the power to control the accounts, including the depreciation account; and of requiring the gas companies under the regulation of this bill to conform to those accounting practices.

Mr. HOUSTON. Will the gentleman yield?

Mr. LEA. I yield to the gentleman from Kansas.

Mr. HOUSTON. Where two competing companies are in competition with one another in one community, is that under the State regulation?

Mr. LEA. That remains as at the present time, if they are already there.

Mr. HOUSTON. If one gas-distributing company gets its gas from out of the State and brings it in, and the other gets its gas from within the State, how does the bill affect those companies?

Mr. LEA. In attempting to fix the rates of the company using the interstate gas, the city-gate rate would be fixed by this Commission.

Mr. HOUSTON. It would be fixed at the city gate in either event?

Mr. LEA. No.

Mr. HOUSTON. The State regulatory body takes care of the company within the State?

Mr. LEA. Yes.

Mr. FITZPATRICK. Will the gentleman yield?

Mr. LEA. I yield to the gentleman from New York.

Mr. FITZPATRICK. Let us assume a State where they have a public service commission now and a company that brings gas in from another State. Can the State's public service commission regulate the price?

Mr. LEA. They cannot regulate the interstate transportation. They cannot regulate the city gate price; but they can fix the local rate within the State.

The bill makes provision for complaints and provides for hearings and has the usual provisions in reference to the production of testimony and rehearings by the Commission on petition, court review of the orders of the Commission, and, a rule, that the findings of the Commission, if supported by substantial testimony, are conclusive upon courts in connection with questions that may be taken to the courts.

Those are what might be called the principal provisions of the bill.

Mr. HOOK. Will the gentleman yield?

Mr. LEA. I yield to the gentleman from Michigan.

Mr. HOOK. Will this in any way limit competition as between gas companies?

Mr. LEA. It will be subject to regulation by the Power Commission in every instance; whether or not one company may enter the territory of another, in a community already occupied, will be up to the Power Commission. But there is no exclusion of any company by law.

Mr. HOOK. It would be under the supervision of the Power Commission?

Mr. LEA. Yes. The Federal Power Commission has absolute supervision of rates within its jurisdiction.

Mr. HOUSTON. Will the gentleman yield?

Mr. LEA. I yield to the gentleman from Kansas.

Mr. HOUSTON. I understood the gentleman to say a moment ago that the committee unanimously reported this bill.

Mr. LEA. Yes; they did.

Mr. HOUSTON. May I ask whether any opposition to the bill was indicated in the hearings; and if so, from what source it came?

Mr. LEA. Some of the representatives of the gas companies opposed the bill. Most of the discussion in criticism of the bill was in connection with the suggestions of certain amendments or changes. However, the committee worked out this bill, which seems to be pretty generally accepted without opposition.

Mr. HOUSTON. There is no opposition to speak of from any of the distributing companies, gathering companies, or pine-line companies?

Mr. LEA. No; they have taken the general attitude that while they do not advocate it, if we are going to have a bill, they have no particular objection to this bill.

Mr. SACKS. Mr. Chairman, will the gentleman yield for a question?

Mr. LEA. Yes.

Mr. SACKS. In the operation under this bill, will the commission have the authority to order a cut in the rate, pending a hearing when it finds a rate is excessive?

Mr. LEA. It will.

Mr. SACKS. In other words, the commission can order a cut in the rate and then hold a hearing later, if it sees fit under the circumstances?

Mr. LEA. Yes; they have the 5 months' suspension rule.

The gentleman from Illinois, I believe, mentioned this matter a few moments ago. I have statements indicative of the attitude of the commissions of a number of the States, as expressed to the committee. For example, Mr. Booth, of the Illinois Commission, appeared before the committee and made the following statement:

It is my opinion that if Congress does not confer upon the Federal Power Commission the power promptly to control interstate natural gas wholesale rates, the people of Illinois may be compelled to pay, during the next 10 years, from twenty to thirty-five million dollars in excessive charges.

I do not know that he is exactly right on the figures, but I mention this to show the attitude of the State commissions, as reported to the committee.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield?

Mr. LEA. Yes.

Mr. PHILLIPS. The gentleman stated a few minutes ago that no natural-gas company could come into a field already occupied by a company without a hearing by the Commission. Do I correctly understand that is the effect of this bill?

Mr. LEA. Yes.

Mr. PHILLIPS. How would that serve to keep down charges to the ultimate consumer? I should think it might keep charges up, due to the fact the monopoly was preserved.

Mr. LEA. Ordinarily the community wants the services performed by one company; because, in such a case, the people can have better service than they can have with the facilities of two companies going through the streets of the same community.

Mr. PHILLIPS. Suppose the company which wanted to come in would offer a cheaper rate?

Mr. LEA. The Commission has power to let them come in.

Mr. BEVERLY M. VINCENT. When a company came in and offered to sell at a lower rate, would not the issue then be before the Commission as to which company was right, and would not the company already on the ground, but charging a higher rate, offer evidence that its rate was fair? Would not this issue then be submitted to the Commission?

Mr. LEA. Absolutely.

Mr. BEVERLY M. VINCENT. Then, would not this tend to put the price higher all the time?

Mr. LEA. It is the duty of the Commission to allow a reasonable rate—reasonable to the consumer and reasonable to the company.

Mr. BEVERLY M. VINCENT. The Commission would have power to deny to the company, which wanted to compete and sell at a lower rate, an opportunity to enter the field and sell at that lower rate?

Mr. LEA. The Commission decides the question from the viewpoint of the public interest and not from the viewpoint of the welfare of that company.

Mr. VOORHIS. Mr. Chairman, will the gentleman yield?

Mr. LEA. Yes.

Mr. VOORHIS. Is it not true that in any community where there is a duplication of public-service facilities, such as parallel gas mains, and so forth, inevitably the community must pay for this additional and unnecessary expense in higher charges before it gets through?

Mr. LEA. It does.

Mr. VOORHIS. Therefore, the only solution is the one suggested in this bill, namely, effective regulation of rates with one company?

Mr. LEA. Duplication means inferior service or, in the end, higher prices.

This act proposes Federal regulation of the transportation of natural gas in interstate commerce, which, in the final analysis, contemplates Federal regulation of indiscriminate interstate duplication of service, interstate service of inferior character, and fair and reasonable interstate rates.

[Here the gavel fell.]

Mr. MAPES. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. WOLVERTON].

Mr. WOLVERTON. Mr. Chairman, the purpose of this bill is to provide Federal regulation and control of the interstate transportation and sale of natural gas.

Over a period of years the need for this type of legislation has become increasingly apparent. The State regulatory bodies have wide and comprehensive jurisdiction to fix rates and otherwise regulate and control the sale of natural gas to consumers within the State but do not have any jurisdiction in fixing the rate to the distributing company or the municipality when the purchase of the gas is made from an outside source. This comes within the field of interstate commerce and the jurisdiction over such is denied entirely to the State regulatory bodies and lodged completely in the Federal Congress.

It can be readily seen that the price to be paid by the consumer depends largely upon the price the local distributing company or municipality has been required to pay to the outside producer. Therefore, if the consumer is to be given the benefit of purchasing gas at fair and reasonable rates there must be some regulation of the producing company engaged in the interstate transportation and sale of gas. It is therefore the purpose of this legislation to close the gap now existing between Federal and State regulation and control and confer upon the Federal Power Commission the right, duty, and authority to exercise such regulatory power in fixing a fair and reasonable rate for gas that is a part of interstate commerce. It seeks to give similar power to regulate and control interstate commerce in gas as now exists in State regulatory bodies with respect to transactions entirely within the States.

The enactment of this legislation is sought by the utility commissioners of the several States, by municipalities and States, and by the consuming public. It is meritorious and of a type that past experience has shown to be necessary in the public interest. There are also provisions within the proposed law that seek to provide some measure of conserving the great natural-gas fields from unnecessary use and consequent waste.

The bill has had careful study and consideration by the Committee on Interstate and Foreign Commerce during the last session of Congress and also at the present session. It has the unanimous approval of the membership of the com-

mittee and deserves the favorable consideration of the membership of the House. [Applause.]

Mr. MAPES. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Chairman, I think the purposes of this bill have all been rather well stated, but possibly I can add a few words which may explain the purposes a little more clearly to the membership of the House.

In the past few years the interstate transportation of gas in large pipe lines at high pressure had been growing by leaps and bounds. Gas is brought from the producing areas in these pipe lines and sold at the city gates to the public utilities which distribute the gas to the consumers. It is obvious the distribution of the gas by the local distributing company is subject to State regulation and the interests of the consumers are protected by State regulation. However, the transportation of gas in interstate commerce in the pipe lines and its sale to the distributing companies for resale is not subject to State regulation, and as a result, we have had a situation under which the price charged the distributing company at the city gate has been fixed wholly by the judgment, discretion, or action of the interstate company. It is charged that in many cases that price is excessive. This bill seeks to regulate those prices.

Now, some question has been raised here about the possibility of setting up a monopoly under the provisions of this bill and that effects on price to the consumer arising out of competition might be destroyed. May I point out in this connection that the reason for this bill, the reason the cities and the consumers' representatives asked for this bill is that they say that competition has heretofore failed to bring the wholesale price down. In other words, competition has not operated to keep the price down and as a result they say to Congress, "This gap that has existed must be filled by the intervention of the Federal Government."

There is ample precedent for this sort of legislation, not only in other measures heretofore enacted by Congress affecting interstate activities of other similar utilities, but there is ample precedent in the action of the States by which they have undertaken to regulate rates of natural gas companies in intrastate business. The States, as I have suggested, have not been able heretofore to regulate the wholesale price in interstate commerce.

Competition in this regard has been ineffective, and as a result, even though the prices of the distributing company to the consumers have been kept within reasonable limits, insofar as the activities of the distributing company are concerned, real protection has not been available to the ultimate consumer, because in many instances the transportation company, transporting in interstate commerce, has charged a rate which is higher than is deemed fair and reasonable.

So it occurs to me this is an entirely proper field for governmental intervention.

The question was asked as to whether or not the price that might be charged to a manufacturer who buys direct from the transportation company would be affected by this bill. As I view it, the answer to that question is that this bill seeks only to reach those sales where the sale is for resale to the ultimate consumer. So a purchaser for industrial use, who bought the gas, not for resale, but for consumption in his own plant, would not be reached by the measure. Any purchase from an interstate carrier by a distributor for the purpose of resale for ultimate public consumption would be reached.

We have heretofore enacted in the Congress a bill to regulate the bituminous-coal industry. We have Federal regulation of the interstate transportation and sale of electrical energy. They all deal with public utilities or businesses said to be charged with a public interest. That is the reason this bill, dealing as it does with a competing commodity and a competing service, should, in my opinion, be passed to the end that the natural-gas industry shall be brought within the realm of Federal regulation so that the public interest and the interest of the ultimate consumer generally shall be protected.

My opinion is that the operations of the Federal Power Commission in applying this act will be in the regulation of rates downward, not in the regulation of rates upward, and I am inclined to believe that if this regulation is to be applied that the public interest will be served by putting into effect the certificates of convenience for which this bill provides, to the end that the companies coming under this bill, and to be regulated by it, may know that they may extend their facilities under the protection of this bill. In the long run such a provision will promote the public interest.

Mr. HOUSTON. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. HOUSTON. Where a distributing or pipe line or gathering company in interstate commerce brings the gas into a State and then sells at the city gates to a distributing company, which is their own company under a different name, would not this regulation have a tendency to lower the price rather than to raise it? As I understand, heretofore they can charge any rate they want at the city gates and the city or distributing company has to regulate their rates according to the prices they pay the carrier.

Mr. HALLECK. That is right.

Mr. HOUSTON. This bill would regulate that, and has it not been a further fact that in a great many instances where the carrier has been attempted to be regulated by the State, they have prevented that by saying that the Federal Government should do it, although heretofore we have not had any Federal Government regulation.

Mr. HALLECK. That is correct.

Mr. HOUSTON. And when the Federal Government attempts to do something along that line they say that it is a matter of State rights, but this bill will reach that entire situation.

Mr. HALLECK. I think the bill reaches what has heretofore been an unregulated field in interstate commerce, and, of course, in my opinion, the bill will reach exactly the situation to which the gentleman refers, otherwise there would be no excuse for its enactment.

Mr. HOUSTON. Is not this a bill that was originated about 2 years ago, or about the time the utility question was up for consideration, and this measure was not perfected at that time?

Mr. HALLECK. I think the principal agitation for the bill has arisen in the last few years, and probably as a result of the fact that in earlier years the gathering, transportation, and sale of natural gas was largely an intrastate matter. More recently many of the States that had a small supply are now without a local supply, and as a result the great end of the natural-gas business involves interstate commerce and transportation of the gas in interstate commerce.

Mr. HOUSTON. That is right. When an interstate company brings gas into a State and turns it over to a distributing company for industrial needs, it is regulated under this bill?

Mr. HALLECK. If they sell to the industrial user who is to use it rather than resell it, they are not reached by this bill; but if they sell to a distributor who distributes, say, to commercial users and domestic users, then that commercial use would be reached by this bill.

Mr. HOUSTON. What kind of a situation would we have if an intrastate company, a gas pipe line, a carrier in a State in competition with the other, would have to resell it to a distributor?

Mr. HALLECK. Of course, this bill would not reach it at all if it is intrastate. That would be without the realm of Federal regulation.

Mr. THOMPSON of Illinois. If that is true, the interstate carrier would come under the control of the State regulatory body, if it became a distributor for State use.

Mr. HOUSTON. I guess that is right.

Mr. LEA. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. COLE].

Mr. COLE of Maryland. Mr. Chairman, the House should realize that the measure we are dealing with today is of extreme importance, more so than the attendance and the time taken in the discussion would seem to indicate. It is the

culmination of one of the most far-reaching, intensive studies of the Federal Trade Commission I assume that that Commission ever conducted, and last year found a place in not identical language but very similar in the Rayburn bill, the famous holding-company bill, as part 3 thereof. Our committee eliminated part 3, as members will recall, and saved it for a separate measure reported out as it was last year, which was not considered by the House, but is here today in improved form.

Briefly I want to reply to the question, if I may supplement what the distinguished chairman of our committee said, of the gentleman from Kentucky as to what effect this bill will have in requiring certificates of necessity for an area already served. This bill means the same as in railroad regulation, that it is foolish to permit another railroad to come into an area already adequately served, charging rates under the regulation of a commission, such as the Federal Power Commission, unless justification therefor can be shown. As the gentleman from Kansas [Mr. HOUSTON] pointed out so appropriately a moment ago, the main trouble with the natural-gas problem today—an industry supplying more fuel and power than the electric utilities of this country do, coming into all the large cities of this Nation, charging what they please at the city gate, a price determined by a private contract with a local company under regulation as to everything except the price paid to the interstate activity coming from the Panhandle and other parts of the country, which the courts locally cannot reach. Under the passage of this bill a company enjoying, you might say, a monopoly in the city of Chicago, if but one line serves that city, would be forced to charge a fair and reasonable rate, and our Commission, if we have confidence in them, as we do, would see to that, and of course the public could not obtain any benefit by competition coming in, because that competition would be likewise regulated.

I remind the House of this fact. When we pass this bill without any apparent opposition, the people of this country demanding it, it will affect not only the great cities where gas is consumed, but the little fellow in my State back through the rural sections in whom I am interested, where these pipe lines have been running for years, and perform no service to the people along them. They are under no regulation whatever. After this bill is passed, I think the rural sections, having given the rights away to these lines feeding the great metropolitan sections of the country, will find through the machinery of this law a medium of relief so that service will come to them. I remind the House that in passing this bill, without opposition, it is going to cost a considerable sum for the Federal Power Commission to enforce it, as I think all of us want to see it enforced. Do not be surprised, therefore, if the Federal Power Commission, seeking to operate under this new law, not only asks for adequate money to improve the rate structure at the city gate, but under the more important provision goes down into the great gas fields of this country and appraises them for the first time, giving to us a physical valuation of this wonderful resource, in building up a proper rate structure. I hope that the Committee on Appropriations of this House will not try to dictate from a legislative standpoint what the policy of the Federal Power Commission will be, a practice they are falling into so conspicuously lately, especially the subcommittee on War Department appropriations. I remind that committee that this bill is going to cost no small amount to enforce, and, with the unanimous approval that this bill is receiving from the House we expect that kind of reception at the hands of the Appropriations Committee. It should not be other than the policy of the Appropriations Committee to carry out the mandates of the Congress as dictated from a policy standpoint by the legislating committees.

I hope to obtain permission to extend my remarks, and at greater length will insert some interesting statistics from the hearings and some law pertaining to this subject, which law and statistics will furnish an interesting summary and abundance of reason for the wise step taken in this legislation.

Mr. LEA. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. CROSSER].

Mr. CROSSER. Mr. Chairman, sometime ago the Federal Trade Commission made a very thorough investigation of the facts underlying the gas situation in the United States. They did remarkably good work in their investigation and made appropriate recommendations. It is very desirable that the recommendations of the Commission be made effective and the legislation now before us is for that purpose.

For many years I have advocated this type of legislation for the regulation of the sale of natural gas. There has been much trouble on the part of local communities in their efforts to secure a fair rate from the gas companies. Most of the people in the eastern part of the United States consume gas that is produced in another State. As a consequence, any regulation that is attempted either by cities or by public-utility commissions of the States is almost useless. This is so because the people of such cities are required to pay to the producing company in another State a price generally unreasonable because there is no constitutional authority in the city councils nor the public-utility commissions of the State in which such cities are located which enables them to order the sale, at a reasonable rate, of gas produced in another State.

A very glaring example of what happens as a result of this lack of authority is the case of West Virginia and Virginia. In West Virginia they pay 35 cents per thousand cubic feet for gas. From the same gas pipes gas is delivered just a few miles over the border in Virginia, at Lexington, at a price of \$1 per thousand cubic feet. That is possible only because Virginia has no authority to fix the price at which the West Virginia Co. must sell in Virginia. The same thing is true in the case of Ohio and West Virginia. When the local company in Ohio had their rates challenged by the city authorities in the first place, and later by the State public-utilities commission, the distributing company answered that it was compelled to pay a certain price to the Hope Gas Co., which was a West Virginia company, and so had to charge the Ohio cities accordingly. The Hope Co. and the East Ohio Gas Co., which sold the gas to the Ohio consumers, were owned and operated by one holding company, the Standard Oil Co. of New Jersey. That is what occurs throughout the country.

This legislation will protect the public from being charged wholly unreasonable prices for gas. There should be no opposition to this bill. I hope that it will pass unanimously. [Applause.]

The CHAIRMAN. The gentleman has consumed 4 minutes.

Mr. LEA. Mr. Chairman, I yield 4 minutes to the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, I agree with the gentleman from Ohio [Mr. CROSSER] that this is a piece of legislation we should have had for a long time. In my own State we have a situation where we buy gas produced in the panhandle of Texas that is moved through one corner of the State of Oklahoma and back into Texas, and it is interstate commerce. The Texas Railroad Commission cannot control it. We need the regulation. People who are paying for that gas, as small consumers, are entitled to have that regulation. But, on the other hand, this question arises—and I think it is fair that it should have consideration: If we give the Federal Power Commission the right to control these rates, they will have a right, and it will be their duty, to regulate the price of industrial gas, which is in direct competition with other forms of fuel, as well as to regulate the price of gas consumed by the individual in his home. I know there will probably be an amendment offered to exempt industrial gas from the regulation; but if you exempt industrial gas from the regulation and still allow the Commission to fix the price on the domestic consumers' gas, you have to allow a fair return on the entire investment.

Mr. THOMPSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield.

Mr. THOMPSON of Illinois. Does the gentleman mean industrial gas as sold by the pipe-line companies or industrial gas sold by the distributing company?

Mr. POAGE. It is always sold by the distributing company, as I understand it. The pipe-line company sells to the distributing company, but under the present set-up they have a different scale of prices to the distributing company, depending upon whom the distributing company is selling it to. As a matter of fact, gas piped out of the Texas Panhandle today to the city of Chicago sells to the domestic consumer, I understand, as high as \$1.50 per thousand cubic feet when mixed with artificial gas, but when sold to industrial concerns I have been informed that some of it sells as low as 9 cents per thousand cubic feet. There is a positive loss in the sale of that gas, yet the gas companies, in order to control that market, are taking that loss. If this amendment is placed on here, and it is the only way you can protect the gas, but if you do put it on without anything else you have then opened the door for the gas company to claim they are entitled to charge the domestic consumer sufficient to pay a return on their entire investment. You cannot escape a fair return. They will claim that they are entitled to pay a fair return on the entire investment, probably one-half or one-third of which is being used to transport industrial gas. That is unfair to the domestic consumer. You should put on a further amendment providing that in taking into consideration the amount of the investment, they should not include that portion of the investment that is devoted to the transportation of the industrial gas through these industrial pipe lines.

Mr. COLE of Maryland. Will the gentleman yield?

Mr. POAGE. I yield.

Mr. COLE of Maryland. If we would put the gentleman's language into the bill, it could not express better the intention of this committee. This matter was discussed in executive session of the committee, and the very argument which the gentleman is making is what controlled the committee.

Mr. POAGE. I thank the gentleman. If this amendment is put on, I then propose to offer an amendment to fix the valuation so that they shall include only that portion of the valuation that is used in moving domestically consumed gas.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MAPES. Mr. Chairman, as far as I know, there is no opposition to this bill. I do not know of any Member of the House or anyone else who opposes it. It is supported by the public utility commissions of the States and by all public bodies, as far as I know, who have anything to do with or have given any particular attention to the question of the distribution and sale of natural gas to the consuming public. As a matter of fact, my attention has not been called to any opposition to it, even on the part of the gas companies themselves.

One of the principal proponents of the legislation to appear before the Committee on Interstate and Foreign Commerce was the Honorable John W. Smith, formerly mayor of the city of Detroit, who appeared in his official capacity as national chairman of the Cities Alliance, an association of midwestern cities formed some 2 years ago in an endeavor to collaborate and cooperate for the purpose of securing natural gas at proper rates, and as chairman of the Natural Gas Committee of the United States Conference of Mayors. As Mr. Smith said before the committee, he had been working for years to secure natural gas for his city of Detroit and other Michigan cities.

The bill is well drafted. As the gentleman from California [Mr. LEA], the chairman of the committee, has well said, the provisions of the bill are largely the standardized provisions contained in most regulatory acts. The interstate transportation of natural gas is largely the development of the last few years—a trifle over 10 years. It began to expand about the time of the invention and adoption for general use of the seamless pipe. There are now about 50,000 miles

of natural-gas pipe lines throughout the country. Its comparatively recent development undoubtedly accounts for the fact that there has been no national legislation upon the subject before. The Committee on Interstate and Foreign Commerce reported a bill quite similar to this one in the last Congress, but it was not taken up in the House. This bill contains one provision which was not in that bill—namely, the provision which requires a company desiring to put in a pipe line in competition with an existing pipe line to obtain from the Federal Power Commission a certificate of convenience and necessity before it can install such competing line. This seems to the committee a desirable feature and, as the gentleman from Maryland has said, it is a provision required in railroad and other legislation relating to the regulation of public utilities.

State commissions have power to regulate the distribution and sale of natural gas produced and consumed within the States. They also regulate the distribution and sale at retail of natural gas shipped in interstate commerce after its interstate character ceases, but there is no regulation, either by Federal or State authorities, of the transportation or sale of natural gas in interstate commerce. This bill proposes to fill the gap which now exists. It gives the Federal Power Commission power to fix the cost of the transportation of natural gas shipped in interstate commerce and the wholesale price which may be charged for it at the consuming centers. The State commission will continue to have authority to regulate the retail distribution of the gas after the enactment of this legislation the same as they now have.

The bill contains the usual provisions authorizing the Federal Power Commission to ascertain the actual legitimate cost of the property used in the interstate transportation of natural gas in order to enable it to determine the cost of such transportation and after such determination to fix just and reasonable rates for the transportation of it and just and reasonable prices for the sale of the gas. The Commission in its discretion may require the gas companies to file with it an inventory of their properties and to give the original cost of the same. It may also fix the rates of depreciation and amortization of the property.

The only provision in the bill which seems to look to the conservation of the natural gas resources of the country is contained in the provision relating to the State compacts. It is made the duty of the Federal Power Commission to assemble pertinent information relative to such compacts, to make public and report to Congress information so obtained, together with its recommendations for such further legislation as it thinks desirable to carry out the purpose of any State compact and to conserve the natural gas resources of the United States.

The bill has been carefully considered and worked out by the Committee on Interstate and Foreign Commerce. I believe that it is well drafted and will give the Federal Power Commission the necessary power to carry out the purposes sought to be accomplished by the legislation. It should be speedily enacted into law.

In order to keep the record straight, I propose to offer an amendment to the bill under the 5-minute rule to strike out section 18, which authorizes the Commission to appoint attorneys, experts, officers, and examiners without regard to the civil service and to fix their compensation without regard to the Classification Act. This is an old story and it is unnecessary to dwell upon it at any great length at this time. It is hard to overstate the seriousness of such a provision. It has been generally recognized that a similar provision in the Social Security Act has resulted in something approaching a scandal in that organization, with the result that Congress singled it out and enacted a rider upon a recent appropriation bill requiring that all appointees to positions in that organization receiving a salary of \$5,000 or more per year must be confirmed by the Senate, and the other day the President recommended that such positions be filled in accordance with the civil-service laws and regulations. At the proper time I intend to offer a motion to strike out section 18 and to substitute therefor a provision requiring that all employees necessary to be appointed by

the Commission to carry out its functions under this act shall be appointed in accordance with the civil-service laws and regulations, and that they shall be paid for their work as provided in the Classification Act.

Mr. LEA. Mr. Chairman, I yield 4 minutes to the gentleman from New Jersey [Mr. KENNEY].

Mr. KENNEY. Mr. Chairman, there is no natural gas produced in New Jersey and none comes into the State so far as I have been able to learn. The State, however, is a big consumer of artificial gas. Natural gas is consumed in 35 of our States, some of which are in the neighborhood of and surrounding New Jersey. I hope that the day is not far distant when natural gas will be piped into our State for use by our people.

Natural gas is produced in 24 of our States, mostly in the West and Southwest. It is piped into the Middle West and over into the East. Many State commissions have had great difficulty in fixing reasonable rates for consumers for the reason that State commissions have had no power over the interstate activities of the pipe-line companies. The pending bill gives to the Federal Power Commission authority to sit as an independent board or with a State board as a joint board to enforce this act and to bring about regulation that will result, I believe, in an improvement of conditions and reduction of rates so that consumers in States using natural gas will have a fair and reasonable rate.

In this bill it is provided that the board shall fix a proper and just depreciation which may be charged by pipe-line companies. Furthermore, it has the power to fix the reserve which pipe-line companies may charge against the consumer.

As the situation stands now, the pipe-line companies owning the oil fields can purchase any amount of land they wish and charge the value of all of that land as a reserve in fixing the rate at which the gas is sold at the city line when it is delivered over for resale in any State or community.

There is no opposition to this bill. I believe that results largely from the time and effort that has been spent on the bill. This bill was a part of the utility holding company bill, constituting title III of that bill. The committee felt it would be better to separate the natural-gas features and give them special care and attention. The bill comes on the floor for consideration after having been fully and carefully considered by the committee. Various phases were considered by a subcommittee which had in charge the oil bill which was enacted by the Congress and reenacted the other day. The chairman of that subcommittee, the gentleman from Maryland [Mr. COLE], has given very intensive study to the question and I believe this bill reflects his ability, his energy, and his great concern for the people of this country. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc.,

NECESSITY FOR REGULATION OF NATURAL-GAS COMPANIES

SECTION 1. (a) As disclosed in reports of the Federal Trade Commission made pursuant to Senate Resolution 83 (70th Cong., 1st sess.) and other reports made pursuant to the authority of Congress, it is hereby declared that the business of transporting and selling natural gas for ultimate distribution to the public is affected with a public interest, and that Federal regulation in matters relating to the transportation of natural gas and the sale thereof in interstate and foreign commerce is necessary in the public interest.

(b) The provisions of this act shall apply to the transportation of natural gas in interstate commerce, to the sale in interstate commerce of natural gas for resale for ultimate public consumption for domestic, commercial, industrial, or any other use, and to natural-gas companies engaged in such transportation or sale, but shall not apply to any other transportation or sale of natural gas or to the local distribution of natural gas or to the facilities used for such distribution or to the production or gathering of natural gas.

SEC. 2. When used in this act, unless the context otherwise requires—

- (1) "Person" includes an individual or a corporation.
- (2) "Corporation" includes any corporation, joint-stock company, partnership, association, business trust, organized group of

persons, whether incorporated or not, receiver or receivers, trustee or trustees of any of the foregoing, but shall not include municipalities as hereinafter defined.

(3) "Municipality" means a city, county, or other political subdivision or agency of a State.

(4) "State" means a State admitted to the Union, the District of Columbia, and any organized Territory of the United States.

(5) "Natural gas" means either natural gas unmixed, or any mixture of natural and artificial gas.

(6) "Natural-gas company" means a person engaged in the transportation of natural gas in interstate commerce, or the sale in interstate commerce of such gas for resale.

(7) "Interstate commerce" means commerce between any point in a State and any point outside thereof, or between points within the same State but through any place outside thereof, but only insofar as such commerce takes place within the United States.

(8) "State commission" means the regulatory body of the State or municipality having jurisdiction to regulate rates and charges for the sale of natural gas to consumers within the State or municipality.

(9) "Commission" and "Commissioner" means the Federal Power Commission and a member thereof, respectively.

EXPORTATION OR IMPORTATION OF NATURAL GAS

Sec. 3. After 6 months from the date on which this act takes effect no person shall export any natural gas from the United States to a foreign country or import any natural gas from a foreign country without first having secured an order of the Commission authorizing it to do so. The Commission shall issue such order upon application, unless, after opportunity for hearing, it finds that the proposed exportation or importation will not be consistent with the public interest. The Commission may by its order grant such application, in whole or in part, with such modification and upon such terms and conditions as the Commission may find necessary or appropriate, and may from time to time, after opportunity for hearing, and for good cause shown, make such supplemental order in the premises as it may find necessary or appropriate.

RATES AND CHARGES; SCHEDULES; SUSPENSION OF NEW RATES

Sec. 4. (a) All rates and charges made, demanded, or received by any natural-gas company for or in connection with the transportation or sale of natural gas subject to the jurisdiction of the Commission, and all rules and regulations affecting or pertaining to such rates or charges, shall be just and reasonable, and any such rate or charge that is not just and reasonable is hereby declared to be unlawful.

(b) No natural-gas company shall, with respect to any transportation or sale of natural gas subject to the jurisdiction of the Commission, (1) make or grant any undue preference or advantage to any person or subject any person to any undue prejudice or disadvantage, or (2) maintain any unreasonable difference in rates, charges, service, facilities, or in any other respect, either as between localities or as between classes of service.

(c) Under such rules and regulations as the Commission may prescribe, every natural-gas company shall file with the Commission, within such time (not less than 60 days from the date this act takes effect) and in such form as the Commission may designate, and shall keep open in convenient form and place for public inspection, schedules showing all rates and charges for any transportation or sale subject to the jurisdiction of the Commission, and the classifications, practices, and regulations affecting such rates and charges, together with all contracts which in any manner affect or relate to such rates, charges, classifications, and services.

(d) Unless the Commission otherwise orders, no change shall be made by any natural-gas company in any such rate, charge, classification, or service, or in any rule, regulation, or contract relating thereto, except after 30 days' notice to the Commission and to the public. Such notice shall be given by filing with the Commission and keeping open for public inspection new schedules stating plainly the change or changes to be made in the schedule or schedules then in force and the time when the change or changes will go into effect. The Commission, for good cause shown, may allow changes to take effect without requiring the 30 days' notice herein changes for by an order specifying the changes so to be made and the time when they shall take effect and the manner in which they shall be filed and published.

(e) Whenever any such new schedule is filed the Commission shall have authority, either upon complaint of any State, municipality, or State commission, or upon its own initiative without complaint, at once, and if it so orders, without answer or formal pleading by the natural-gas company, but upon reasonable notice, to enter upon a hearing concerning the lawfulness of such rate, charge, classification, or service; and, pending such hearing and the decision thereon, the Commission, upon filing with such schedules and delivering to the natural-gas company affected thereby a statement in writing of its reasons for such suspension, may suspend the operation of such schedules and defer the use of such rate, charge, classification, or service, but not for a longer period than 5 months beyond the time when it would otherwise go into effect; and after full hearings, either completed before or after the rate, charge, classification, or service goes into effect, the Commission may make such orders with reference thereto as would be proper in a proceeding initiated after it had become effective. If the proceeding has not been concluded and an order made at the expiration of the suspension period, on motion of the natural-gas company making the filing, the proposed change of rate, charge, classification, or service shall go into effect. Where in-

creased rates or charges are thus made effective, the Commission may, by order, require the natural-gas company to furnish a bond, to be approved by the Commission, to refund any amounts ordered by the Commission, to keep accurate accounts in detail of all amounts received by reason of such increase, specifying by whom and in whose behalf such amounts were paid, and, upon completion of the hearing and decision, to order such natural-gas company to refund, with interest, the portion of such increased rates or charges by its decision found not justified. At any hearing involving a rate or charge sought to be increased, the burden of proof to show that the increased rate or charge is just and reasonable shall be upon the natural-gas company, and the Commission shall give to the hearing and decision of such questions preference over other questions pending before it and decide the same as speedily as possible.

Mr. LEA. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. LEA: Page 6, line 18, insert, after the word "effect", the following: "Provided, That the Commission shall not have authority to suspend the rate, charge, classification, or service for the sale of natural gas for resale for industrial use only."

Mr. LEA. Mr. Chairman, this amendment has been approved by the committee and also by the Federal Power Commission. The effect of it is to prevent suspension in cases of industrial use where there are short-term contracts for the supply of gas for industrial use only.

Mr. POAGE. Will the gentleman yield?

Mr. LEA. I yield to the gentleman from Texas.

Mr. POAGE. I am wondering in that connection, when you do make those exceptions, if you do not inevitably then create a situation whereby the gas company can contend that they have such a tremendous investment involved in furnishing this domestic gas that the domestic rates have to be raised, or at least you will require a raise of the domestic rates by the local rate-fixing agency, because the gas company can say that they have an investment in a pipe line 1,200 miles long and they are only selling so much gas for domestic purposes. You have exempted a part of this gas. Are you not going to have to fix a rate for domestic purposes that will take care of that burden?

Mr. LEA. This amendment would not deprive the Commission of fixing general rates.

Mr. POAGE. I know, but will it not force them to fix a rate that will pay a return on the entire investment when, as a matter of fact, many of those contract rates are actually a loss?

Mr. LEA. Under the principle of this bill they would not have the right to do that. The industrial gas should pay its own rate and should be based on a reasonable rate.

Mr. POAGE. But in that connection, if you allow the company to fix their own rates as to this industrial gas, which in many instances will make up one-half or two-thirds of all the gas it moves through the pipe line, and they do not make and profit on that, or make very little profit on it, would you not be requiring the rate-fixing agency, because they have to fix a rate which will result in a fair return on the investment, to fix a rate for the individual or domestic consumer high enough to pay a return on all of the investment used for the industrial gas?

Mr. LEA. In fixing the industrial rate they may adjust the general rate high enough to cover that.

Mr. POAGE. If they fix the industrial rate, yes; but this amendment exempts that.

Mr. LEA. It only exempts as to a suspension order. There is nothing that prevents the Federal Power Commission from making a rule requiring a rate sufficient to meet the cost.

Mr. POAGE. I think they have got to do that. I do not think they can do anything else.

Mr. LEA. This applies only to new rates as to which a suspension order applies and not to the general rates fixed by a commission.

Mr. POAGE. But if they suspend new rates as they go along, they might as well suspend the entire rate structure.

Mr. LEA. No. A regular rate can be put into effect, and the Commission has the power to fix a maximum, minimum, or a specific rate. The general rule that they may adopt

will cover this case and prevent the result the gentleman has in mind.

Mr. POAGE. I think that is what it should do, but if you require them to apply that general rule it might not result in that. I think you have given them the power; but have you got anything in there that will require the exercise of that power?

Mr. LEA. That would be within the discretion of the Commission in fixing a rate. It would be the clear duty of the Commission under this bill to do that. I have consulted with the attorneys for the Federal Power Commission before presenting this amendment. They claim they can control that matter.

[Here the gavel fell.]

Mr. MASSINGALE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I understood the gentleman from Indiana [Mr. HALLECK] to state the provisions of this act apply only to the transportation of natural gas in interstate commerce, to the sale in interstate commerce of natural gas for resale for ultimate consumption for various purposes, and to natural-gas companies engaged in the transportation of gas for sale, and shall not apply to intrastate transportation or sale of natural gas or to the local distribution thereof.

Will not that provision in the law make it possible for a natural-gas company transporting its gas through pipe lines, say from Oklahoma to Kansas, to have its own establishments where natural gas may be used, or to favor one of its friends doing business in a locality to the detriment and hurt of some other legitimate enterprise carried on there?

Mr. LEA. We cover such a case by a provision on, I believe, page 8 of the bill. What the gentleman states is true. The regulation would then rest with the local commission. However, the Federal Power Commission would have a right to investigate the cost of such transportation and give information as to reasonable rates to the State commission, so the commission could put the rates into effect.

Mr. MASSINGALE. What provision is made for transferring the powers of the National Commission to the State commission?

Mr. LEA. The Federal Commission would give the State commission information showing the cost of the property and the reasonable rate for the service performed.

Mr. MASSINGALE. Then, as I understand the chairman, the situation to which I have just referred in connection with paragraph (b) of section 1 is taken care of in a subsequent section of the bill?

Mr. LEA. Yes; it is. The Federal Government would have no right to regulate the local distribution under the constitutional interpretation, but the local commission would have such authority and the Federal Power Commission would have the authority to give the local commission all the information needed to carry out the provision.

Mr. MASSINGALE. I thank the gentleman.

The CHAIRMAN. The question is on the amendment of the gentleman from California.

The amendment was agreed to.

The Clerk read as follows:

FIXING RATES AND CHARGES; DETERMINATION OF COST OF PRODUCTION OR TRANSPORTATION

SEC. 5. (a) Whenever the Commission, after a hearing had upon its own motion or upon complaint of any State, municipality, State commission, or gas distributing company, shall find that any rate, charge, or classification demanded, observed, charged, or collected by any natural-gas company in connection with any transportation or sale of natural gas, subject to the jurisdiction of the Commission, or that any rule, regulation, practice, or contract affecting such rate, charge, or classification is unjust, unreasonable, unduly discriminatory, or preferential, the Commission shall determine the just and reasonable rate, charge, classification, rule, regulation, practice, or contract to be thereafter observed and in force, and shall fix the same by order.

(b) The Commission upon its own motion, or upon the request of any State commission, whenever it can do so without prejudice to the efficient and proper conduct of its affairs, may investigate and determine the cost of the production or transportation of natural gas in cases where the Commission has no authority to establish a rate governing the transportation or sale of such natural gas.

Mr. BOREN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOREN: On page 8, line 13, after the word "gas", insert the following: "by a natural gas company."

Mr. BOREN. Mr. Chairman, my amendment has been agreed to by the committee. I offer the amendment in order to keep the jurisdiction of the Federal Government as clearly defined as possible from the jurisdiction of the State government in cases arising under the provisions of this bill.

During the hearings I offered this amendment and made the following statement:

Mr. Chairman, I would like to make this observation for the record and as a challenge to the proponents of this bill: That subsection B of section 5 provides for a growth and for the extension of the influence of a Federal bureau, or commission, in a realm wherein this proposal submits on its own acknowledgment that the Federal authority and responsibility does not rightfully exist.

Mr. Chairman, this amendment clarifies the jurisdiction as between the Federal and State governments, and assures us that the Federal Government will not go into a realm where the State government already has proper authority to handle the problem.

The committee has approved the amendment, and I have nothing further to say.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. BOREN. Yes.

Mr. JONES. Would the gentleman's amendment prevent the Commission from making an investigation such as the gentleman from Maryland referred to a while ago, with reference to costs of production and the conditions in the various local fields?

Mr. BOREN. I may say to the gentleman from Texas that this amendment would not prevent the Commission from making such investigations. According to the definition of a natural-gas company, this amendment would simply guarantee that the commission would not step out of the realm of interstate commerce, but would make such investigations only where companies engaged in interstate commerce were concerned.

The CHAIRMAN. The question is on the amendment of the gentleman from Oklahoma.

The amendment was agreed to.

The Clerk read as follows:

ASCERTAINMENT OF COST OF PROPERTY

SEC. 6. (a) The Commission may investigate and ascertain the actual legitimate cost of the property of every natural-gas company, the depreciation therein, and, when found necessary for rate-making purposes, other facts which bear on the determination of such cost or depreciation and the fair value of such property.

(b) Every natural-gas company upon request shall file with the Commission an inventory of all or any part of its property and a statement of the original cost thereof, and shall keep the Commission informed regarding the cost of all additions, betterments, extensions, and new construction.

Mr. POAGE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POAGE: On page 8, line 22, after the word "property", insert the following, "Provided, however, That such portion of the value of such property as is attributable to the production and transportation of natural gas for resale for industrial use will not be taken into consideration in determining a fair return on such property, and it shall be conclusively presumed that the value of that portion of such property attributable to the production and transportation of natural gas for resale for industrial use bears the same relation to the total value of such property as the proportion of natural gas sold for industrial use bears to the entire amount of gas produced and transported."

Mr. POAGE. Mr. Chairman, this amendment is simply an attempt to carry out the purpose I discussed a while ago. I feel there is a real danger that the commission may not actually give the relief it has a right to give under this bill. I think the bill clearly gives the commission the right to give relief to the domestic consumer, and not place the entire burden of paying a fair return on the entire investment on the domestic consumer. I do not think there is any provision in the bill, however, which requires the com-

mission to do this. The bill gives the commission the power to do so. I seek simply to require the commission to place this burden where it falls, to charge the user of industrial gas with bearing the burden of the return on that part of the investment properly attributable to industrial gas, and to charge the domestic consumer only with such portion of the cost as is attributable to the use of the plant for the furnishing of domestic gas.

Mr. KENNEY. Mr. Chairman, will the gentleman yield?
Mr. POAGE. Yes.

Mr. KENNEY. Would not the gentleman's amendment operate as a limitation? Would not this amendment tie the commission's hands so that other factors might not enter into its determination?

Mr. POAGE. I do not think it would keep them from including other factors. I think they would have to include these factors. I do not attempt to strike out the provisions which state that other factors which bear on the determination of such costs or depreciation or fair value of the property shall be considered. This amendment states that no matter what other factors they take into consideration, they must take into consideration what percentage of the investment is attributable to the transportation of gas destined for industrial consumption. Otherwise, they would have the power, although I do not know that they would exercise it, to place the burden of the transportation of the industrial gas, on which there will be no profit, or practically none, upon the domestic consumers, and ultimately result in increasing the price to the domestic consumers.

It is for the purpose of making the matter doubly sure that I offer this amendment. I want to make it sure we are not simply relying upon the frailties of human nature or the frailties of a man-made commission, but making certain that they must take into consideration the fact that not all of this investment is attributable to the domestic consumption of gas, and therefore the gas companies should not be allowed to make a reasonable return upon an investment in excess of what they use to furnish gas to the domestic consumers.

Mr. COLE of Maryland. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield.

Mr. COLE of Maryland. Does not the gentleman believe that his amendment more properly should be directed to section 5 of the bill, which is the section dealing with just rates? Of course, if a rate is determined which is not just, because the commission has not taken into consideration the very things the gentleman has pointed out, and which he wants to set forth mandatorily in the bill, it would more properly apply to the establishment of rates and would have little to do with the cost of the property.

Mr. POAGE. I am inclined to agree with the gentleman it would have been better if offered at that place in the bill, but, frankly, I did not have the amendment in type at the time that portion of the bill was read.

Mr. COLE of Maryland. I am frank to say that in determining a just and reasonable rate to be charged I believe the Commission should take into consideration what the gentleman has pointed out.

Mr. POAGE. Frankly, I would have preferred to have the amendment attached at that point, but since we had reached a situation in the consideration of the bill where I could not do that, and since it is a limitation upon the methods by which they should determine valuations, which result in the determination of the proper rates, and the amendment affects the way you determine values, I believe the amendment properly applies to section 6, although it probably would more properly fit section 5. However, it would appear that the same practical result would be reached if offered at either place, and I therefore submit the amendment for the consideration of the Committee.

Mr. LEA. Mr. Chairman, I rise in opposition to the amendment.

There is no question but what the Commission, under this bill, will have full discretion to do what the gentleman desires; in fact, it would be the duty of the Commission to do so. But I think the standard proposed here to cover the action of the committee, in the exercise of its power, is not authorized by the Constitution.

The gentleman's amendment states that it shall be conclusively presumed that the fair valuation of that portion of such property attributable to the production and transportation of natural gas for resale to industrial use bears the same relation to the total value of such property as the proportion of natural gas sold for industrial use bears to the entire amount of gas produced and transported.

This, as a matter of fact, is in defiance of the actual cost of the gas, which goes through the same pipe, but is used for different purposes, and I believe under the definition of fair value as defined by the Supreme Court, the amendment would make it the duty of the Commission to do a thing that is not justified by the interpretation of the term "fair value." We spent a great deal of time on this section, and we had before us another section, such as the gentleman has here suggested, going into more detail, but, in the meantime, a Supreme Court decision came out that made it very clear we should cut out such details and stay with the safe and unquestionably constitutional provision we have here.

So I hope the amendment will not be agreed to, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. POAGE].

The question was taken; and on a division (demanded by Mr. Hook) there were—ayes 8, noes 21.

So the amendment was rejected.

The Clerk read as follows:

EXTENSION OF FACILITIES; ABANDONMENT OF SERVICE

SEC. 7. (a) Whenever the Commission, after notice and opportunity for hearing, finds such action necessary or desirable in the public interest, it may by order direct a natural-gas company to extend or improve its transportation facilities, to establish physical connection of its transportation facilities with the facilities of, and sell natural gas to, any person or municipality engaged or legally authorized to engage in the local distribution of natural or artificial gas to the public, and for such purpose to extend its transportation facilities to communities immediately adjacent to such facilities or to territory served by such natural-gas company, if the Commission finds that no undue burden will be placed upon such natural-gas company thereby: *Provided*, That the Commission shall have no authority to compel the enlargement of transportation facilities for such purposes, or to compel such natural-gas company to establish physical connection or sell natural gas when to do so would impair its ability to render adequate service to its customers.

(b) No natural-gas company shall abandon all or any portion of its facilities subject to the jurisdiction of the Commission, or any service rendered by means of such facilities, without the permission and approval of the Commission first had and obtained, after due hearing, and a finding by the Commission that the available supply of natural gas is depleted to the extent that the continuance of service is unwarranted, or that the present or future public convenience or necessity permit such abandonment.

(c) No natural-gas company shall undertake the construction or extension of any facilities for the transportation of natural gas to a market in which natural gas is already being served by another natural-gas company, or acquire or operate any such facilities or extensions thereof, or engage in transportation by means of any new or additional facilities, or sell natural gas in any such market, unless and until there shall first have been obtained from the Commission a certificate that the present or future public convenience and necessity require or will require such new construction or operation of any such facilities or extensions thereof: *Provided, however*, That a natural-gas company already serving a market may enlarge or extend its facilities for the purpose of supplying increased market demands in the territory in which it operates. Whenever any natural-gas company shall make application for a certificate of convenience and necessity under the provisions of this subsection, the Commission shall set the matter for hearing and shall give such reasonable notice of the hearing thereon to all interested persons as in its judgment may be necessary under rules and regulations to be prescribed by the Commission.

ACCOUNTS, RECORDS, AND MEMORANDA

SEC. 8. (a) Every natural-gas company shall make, keep, and preserve for such periods, such accounts, records of cost-accounting procedures, correspondence, memoranda, papers, books, and other records as the Commission may by rules and regulations

prescribe as necessary or appropriate for purposes of the administration of this act: *Provided, however,* That nothing in this act shall relieve any such natural-gas company from keeping any accounts, memoranda, or records which such natural-gas company may be required to keep by or under authority of the laws of any State. The Commission may prescribe a system of accounts to be kept by such natural-gas companies, and may classify such natural-gas companies and prescribe a system of accounts for each class. The Commission, after notice and opportunity for hearing, may determine by order the accounts in which particular outlays or receipts shall be entered, charged, or credited. The burden of proof to justify every accounting entry questioned by the Commission shall be on the person making, authorizing, or requiring such entry, and the Commission may suspend a charge or credit pending submission of satisfactory proof in support thereof.

(b) The Commission shall at all times have access to and the right to inspect and examine all accounts, records, and memoranda of natural-gas companies; and it shall be the duty of such natural-gas companies to furnish to the Commission, within such reasonable time as the Commission may order, any information with respect thereto which the Commission may by order require, including copies of maps, contracts, reports of engineers, and other data, records, and papers, and to grant to all agents of the Commission free access to its property and its accounts, records, and memoranda when requested so to do. No member, officer, or employee of the Commission shall divulge any fact or information which may come to his knowledge during the course of examination of books, records, data, or accounts, except insofar as he may be directed by the Commission or by a court.

(c) The books, accounts, memoranda, and records of any person who controls directly or indirectly a natural-gas company subject to the jurisdiction of the Commission and of any other company controlled by such person, insofar as they relate to transactions with or the business of such natural-gas company, shall be subject to examination on the order of the Commission.

RATES OF DEPRECIATION

SEC. 9. (a) The Commission may, after hearing, require natural-gas companies to carry proper and adequate depreciation and amortization accounts in accordance with such rules, regulations, and forms of account as the Commission may prescribe. The Commission may from time to time ascertain and determine, and by order fix, the proper and adequate rates of depreciation and amortization of the several classes of property of each natural-gas company used or useful in the production, transportation, or sale of natural gas. Each natural-gas company shall conform its depreciation and amortization accounts to the rates so ascertained, determined, and fixed. No natural-gas company subject to the jurisdiction of the Commission shall charge to operating expenses any depreciation or amortization charges on classes of property other than those prescribed by the Commission, or charge with respect to any class of property a percentage of depreciation or amortization other than that prescribed therefor by the Commission. No such natural-gas company shall in any case include in any form under its operating or other expenses any depreciation, amortization, or other charge or expenditure included elsewhere as a depreciation or amortization charge or otherwise under its operating or other expenses. Nothing in this section shall limit the power of a State commission to determine in the exercise of its jurisdiction, with respect to any natural-gas company, the percentage rates of depreciation or amortization to be allowed, as to any class of property of such natural-gas company, or the composite depreciation or amortization rate, for the purpose of determining rates or charges.

(b) The Commission, before prescribing any rules or requirements as to accounts, records, or memoranda, or as to depreciation or amortization rates, shall notify each State commission having jurisdiction with respect to any natural-gas company involved and shall give reasonable opportunity to each such commission to present its views and shall receive and consider such views and recommendations.

PERIODIC AND SPECIAL REPORTS

SEC. 10. (a) Every natural-gas company shall file with the Commission such annual and other periodic or special reports as the Commission may by rules and regulations or order prescribe as necessary or appropriate to assist the Commission in the proper administration of this act. The Commission may prescribe the manner and form in which such reports shall be made, and require from such natural-gas companies specific answers to all questions upon which the Commission may need information. The Commission may require that such reports shall include, among other things, full information as to assets and liabilities, capitalization, investment and reduction thereof, gross receipts, interest due and paid, depreciation, amortization, and other reserves, cost of facilities, cost of maintenance and operation of facilities for the production, transportation, or sale of natural gas, cost of renewal and replacement of such facilities, transportation, delivery, use, and sale of natural gas. The Commission may require any such natural-gas company to make adequate provision for currently determining such costs and other facts. Such reports shall be made under oath unless the Commission otherwise specifies.

(b) It shall be unlawful for any natural-gas company willfully to hinder, delay, or obstruct the making, filing, or keeping of any information, document, report, memorandum, record, or account

required to be made, filed, or kept under this act or any rule, regulation, or order thereunder.

STATE COMPACTS; REPORTS ON

SEC. 11. (a) In case two or more States propose to the Congress compacts dealing with the conservation, production, transportation, or distribution of natural gas it shall be the duty of the Commission to assemble pertinent information relative to the matters covered in any such proposed compact, to make public and to report to the Congress information so obtained, together with such recommendations for further legislation as may appear to be appropriate or necessary to carry out the purposes of such proposed compact and to aid in the conservation of natural-gas resources within the United States and in the orderly, equitable, and economic production, transportation, and distribution of natural gas.

(b) It shall be the duty of the Commission to assemble and keep current pertinent information relative to the effect and operation of any compact between two or more States heretofore or hereafter approved by the Congress, to make such information public, and to report to the Congress, from time to time, the information so obtained, together with such recommendations as may appear to be appropriate or necessary to promote the purposes of such compact.

(c) In carrying out the purposes of this act, the Commission shall, so far as practicable, avail itself of the services, records, reports, and information of the executive departments and other agencies of the Government, and the President may, from time to time, direct that such services and facilities be made available to the Commission.

OFFICIALS DEALING IN SECURITIES

SEC. 12. It shall be unlawful for any officer or director of any natural-gas company to receive for his own benefit, directly or indirectly, any money or thing of value in respect to the negotiation, hypothecation, or sale by such natural-gas company of any security issued, or to be issued, by such natural-gas company, or to share in any of the proceeds thereof, or to participate in the making or paying of any dividends, other than liquidating dividends, of such natural-gas company from any funds properly included in capital account.

Mr. LEA. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Page 15, line 9, strike out the word "made" and insert in lieu thereof the word "make".

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PHILLIPS. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 16, line 23, after the word "company", insert "or any officer or director of any bank or trust company loaning money to or acquiring securities from any natural gas company."

Mr. COLE of Maryland. Mr. Chairman, I make the point of order against the amendment that it is not germane.

Mr. PHILLIPS. Mr. Chairman, will the gentleman reserve his point of order.

Mr. COLE of Maryland. Yes.

Mr. PHILLIPS. Mr. Chairman, the amendment that I offer extends the same provisions of the law to any officer or director of any bank or trust company loaning money or acquiring securities from any natural-gas company, as the provisions of the law extended to an officer or director of a natural-gas company. In other words, it seems to those of us who take this view, that no officer or director of any bank ought to receive any private, inside stock because of the fact that he has been responsible in more or less degree for loaning money to a natural-gas company or because of some securities deal which his bank or trust company has had in acquiring securities of that natural-gas company. In other words, if it is a moral wrong for an officer or director of a natural-gas company to have any inside proposition of particular aid financially to him, it is equally morally wrong for any officer or director of any bank having dealings with a natural-gas company as stated to likewise benefit. Hence the reason for this amendment.

Mr. COLE of Maryland. Mr. Chairman, I make the point of order that the amendment is not germane to this section for the reason that section 12 deals exclusively with officers and directors of natural-gas companies. It has nothing to do with banks or officials of banks.

The CHAIRMAN. Does the gentleman from Connecticut desire to be heard on the point of order?

Mr. PHILLIPS. Yes. I respect the opinion of the gentleman from Maryland, Mr. Chairman, but I feel that the point of order is not well taken because of the general provisions of this act as a whole.

The CHAIRMAN. The Chair is ready to rule upon the point of order. Section 12 deals with officers of natural-gas companies. The entire section deals with that particular class and is limited entirely to that. The amendment of the gentleman from Connecticut contains matter entirely foreign to that contained in the paragraph under consideration. The Chair, therefore, holds the amendment not to be germane and sustains the point of order.

The Clerk read as follows:

COMPLAINTS

SEC. 13. Any State, municipality, or State commission complaining of anything done or omitted to be done by any natural-gas company in contravention of the provisions of this act may apply to the Commission by petition, which shall briefly state the facts, whereupon a statement of the complaint thus made shall be forwarded by the Commission to such natural-gas company, which shall be called upon to satisfy the complaint or to answer the same in writing within a reasonable time to be specified by the Commission.

INVESTIGATIONS BY COMMISSION; ATTENDANCE OF WITNESSES; DEPOSITIONS

SEC. 14. (a) The Commission may investigate any facts, conditions, practices, or matters which it may find necessary or proper in order to determine whether any person has violated or is about to violate any provision of this act or any rule, regulation, or order thereunder, or to aid in the enforcement of the provisions of this act or in prescribing rules or regulations thereunder, or in obtaining information to serve as a basis for recommending further legislation to the Congress. The Commission may permit any person to file with it a statement in writing, under oath or otherwise, as it shall determine, as to any or all facts and circumstances concerning a matter which may be the subject of investigation. The Commission, in its discretion, may publish in the manner authorized by section 312 of the Federal Power Act, and make available to State commissions and municipalities, information concerning any such matter.

(b) The Commission may, after hearing, determine the adequacy or inadequacy of the gas reserves held or controlled by any natural-gas company, or by anyone on its behalf, including its owned or leased properties or royalty contracts; and may also, after hearing, determine the propriety and reasonableness of the inclusion in operating expenses, capital, or surplus of all delay rentals or other forms of rental or compensation for unoperated lands and leases. For the purpose of such determinations, the Commission may require any natural-gas company to file with the Commission true copies of all its lease and royalty agreements with respect to such gas reserves.

(c) For the purpose of any investigation or any other proceeding under this act, any member of the Commission, or any officer designated by it, is empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, contracts, agreements, or other records which the Commission finds relevant or material to the inquiry. Such attendance of witnesses and the production of any such records may be required from any place in the United States or at any designated place of hearing. Witnesses summoned by the Commission to appear before it shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

(d) In case of contumacy by, or refusal to obey a subpoena issued to, any person, the Commission may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, contracts, agreements, and other records. Such court may issue an order requiring such person to appear before the Commission or member or officer designated by the Commission, there to produce records, if so ordered, or to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found or may be doing business. Any person who willfully shall fail or refuse to attend and testify or to answer any lawful inquiry or to produce books, papers, correspondence, memoranda, contracts, agreements, or other records, if in his or its power so to do, in obedience to the subpoena of the Commission, shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than \$1,000 or to imprisonment for a term of not more than 1 year, or both.

(e) The testimony of any witness may be taken at the instance of a party, in any proceeding or investigation pending before the Commission, by deposition at any time after the proceeding is at issue. The Commission may also order testimony to be taken by deposition in any proceeding or investigation pending before it at any stage of such proceeding or investigation. Such depositions may be taken before any person authorized to administer oaths

not being of counsel or attorney to either of the parties, nor interested in the proceeding or investigation. Reasonable notice must first be given in writing by the party or his attorney proposing to take such deposition to the opposite party or his attorney of record, as either may be nearest, which notice shall state the name of the witness and the time and place of the taking of his deposition. Any person may be compelled to appear and depose, and to produce documentary evidence, in the same manner as witnesses may be compelled to appear and testify and produce documentary evidence before the Commission, as hereinbefore provided. Such testimony shall be reduced to writing by the person taking deposition, or under his direction, and shall, after it has been reduced to writing, be subscribed by the deponent.

(f) If a witness whose testimony may be desired to be taken by deposition be in a foreign country, the deposition may be taken before an officer or person designated by the Commission, or agreed upon by the parties by stipulation in writing to be filed with the Commission. All depositions must be promptly filed with the Commission.

(g) Witnesses whose depositions are taken as authorized in this act, and the person or officer taking the same, shall be entitled to the same fees as are paid for like services in the courts of the United States.

(h) No person shall be excused from attending and testifying or from producing books, papers, correspondence, memoranda, contracts, agreements, or other records and documents before the Commission, or in obedience to the subpoena of the Commission or any member thereof or any officer designated by it, or in any cause or proceeding instituted by the Commission, on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled to testify or produce evidence, documentary or otherwise, after having claimed his privilege against self-incrimination, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

HEARINGS; RULES OF PROCEDURE

SEC. 15. (a) Hearings under this act may be held before the Commission, any member or members thereof, or any representative of the Commission designated by it, and appropriate records thereof shall be kept. In any proceeding before it, the Commission, in accordance with such rules and regulations as it may prescribe, may admit as a party any interested State, State commission, municipality, or any representative of interested consumers or security holders, or any competitor of a party to such proceeding, or any other person whose participation in the proceeding may be in the public interest.

(b) All hearings, investigations, and proceedings under this act shall be governed by rules of practice and procedure to be adopted by the Commission, and in the conduct thereof the technical rules of evidence need not be applied. No informality in any hearing, investigation, or proceeding or in the manner of taking testimony shall invalidate any order, decision, rule, or regulation issued under the authority of this act.

ADMINISTRATIVE POWERS OF COMMISSION; RULES, REGULATIONS, AND ORDERS

SEC. 16. The Commission shall have power to perform any and all acts, and to prescribe, issue, make, amend, and rescind such orders, rules, and regulations as it may find necessary or appropriate to carry out the provisions of this act. Among other things, such rules and regulations may define accounting, technical, and trade terms used in this act; and may prescribe the form or forms of all statements, declarations, applications, and reports to be filed with the Commission, the information which they shall contain, and the time within which they shall be filed. Unless a different date is specified therein, rules and regulations of the Commission shall be effective 30 days after publication in the manner which the Commission shall prescribe. Orders of the Commission shall be effective on the date and in the manner which the Commission shall prescribe. For the purposes of its rules and regulations, the Commission may classify persons and matters within its jurisdiction and prescribe different requirements for different classes of persons or matters. All rules and regulations of the Commission shall be filed with its secretary and shall be kept open in convenient form for public inspection and examination during reasonable business hours.

USE OF JOINT BOARDS; COOPERATION WITH STATE COMMISSIONS

SEC. 17. (a) The Commission may refer any matter arising in the administration of this act to a board to be composed of a member or members, as determined by the Commission, from the State or each of the States affected or to be affected by such matter. Any such board shall be vested with the same power and be subject to the same duties and liabilities as in the case of a member of the Commission when designated by the Commission to hold any hearings. The action of such board shall have such force and effect and its proceedings shall be conducted in such manner as the Commission shall by regulations prescribe. The board shall be appointed by the Commission from persons nominated by the State commission of each State affected, or by the Governor of such State if there is no State commission. Each State affected shall be entitled to the same number of representatives on the board unless the nominating power of such State waives such right. The Commission shall have discretion to reject the nominee from any State, but shall thereupon invite a new

nomination from that State. The members of a board shall receive such allowances for expenses as the Commission shall provide. The Commission may, when in its discretion sufficient reason exists therefor, revoke any reference to such a board.

(b) The Commission may confer with any State commission regarding rate structures, costs, accounts, charges, practices, classifications, and regulations of natural-gas companies; and the Commission is authorized, under such rules and regulations as it shall prescribe, to hold joint hearings with any State commission in connection with any matter with respect to which the Commission is authorized to act. The Commission is authorized in the administration of this act to avail itself of such cooperation, services, records, and facilities as may be afforded by any State commission.

(c) The Commission shall make available to the several State commissions such information and reports as may be of assistance in State regulation of natural-gas companies. Whenever the Commission can do so without prejudice to the efficient and proper conduct of its affairs, it may, upon request from a State commission, make available to such State commission as witnesses any of its trained rate, valuation, or other experts subject to reimbursement of the compensation and traveling expenses of such witnesses. All sums collected hereunder shall be credited to the appropriation from which the amounts were expended in carrying out the provisions of this subsection.

APPOINTMENT OF OFFICERS AND EMPLOYEES

Sec. 18. The Commission is authorized to appoint and fix the compensation of such officers, attorneys, examiners, and experts as may be necessary for carrying out its functions under this act without regard to the provisions of other laws applicable to the employment and compensation of officers and employees of the United States; and the Commission may, subject to civil-service laws, appoint such other officers and employees as are necessary for carrying out such functions and fix their salaries in accordance with the Classification Act of 1923, as amended.

Mr. MAPES. Mr. Chairman, I offer the following amendments, which I send to the desk.

The Clerk read as follows:

Page 26, line 4, strike out section 18 and insert in lieu thereof the following:

"Sec. 18. The Commission may, subject to the civil-service laws, appoint such officers and employees as are necessary for carrying out its functions under this act, and fix their salaries in accordance with the Classification Act of 1923, as amended."

Mr. MAPES. Mr. Chairman, I wish I could think that this amendment will be adopted, but in view of the action of the House so many times during this session on similar amendments, it is hard to believe that it will be. However, I do not want a bill coming from the Committee on Interstate and Foreign Commerce with a provision of this kind in it to go through the House without calling attention to such provision. The section which I have moved to strike out authorizes the Federal Power Commission to appoint such officers, attorneys, examiners, and experts as may be necessary to carry out the functions of the Commission under this act, without regard to the Civil Service and to fix their compensation without regard to the Classification Act passed in 1923. Some day, some time, the very men who vote for provisions of this kind, and who have been doing so, so many times in the last few years, are going to reverse themselves.

I do not know when that time will come, but I look for it to come within the next 2 or 3 months in the passage of some of the so-called reorganization legislation recommended by the President. When it does come it will be interesting to see the reversal of form on the part of those who have so persistently voted against civil service, and who have repeatedly voted to authorize these commissions and other administrative officers to make appointments without regard to the civil service and to fix the compensation of employees without regard to the Classification Act. Think of it. It is a violent thing for Congress to pass legislation with such provisions in it, but the majority has insisted upon doing so during the last few years over the protest of a great many of us. Some day, some time, this same majority is going to be just as persistent and just as insistent in refusing to pass such legislation. As I say, it is going to be interesting to watch when that time comes.

Mr. Chairman, I am offering this amendment for the purpose of keeping the record straight.

Mr. LEA. Mr. Chairman, I rise in opposition to the amendment. The provision to which the gentleman takes exception relates to officers, attorneys, examiners, and experts. The general type of employees authorized to be em-

ployed are under civil service under this provision. The particular class of officers, which are not under civil service, are required to do such a specialized type of work that it seems to me selection from the civil-service list should not be required. If the Commission does its duty from a business standpoint, it can go out and get these specialized employees to do a better job than you could ever hope to through the mill run of civil-service qualification.

So while I have been for many years generally supporting civil-service legislation, I believe that the departure involved in this section is amply justified.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. MAPES].

The amendment was rejected.

The Clerk read as follows:

REHEARINGS; COURT REVIEW OF ORDERS

Sec. 19. (a) Any person, State, municipality, or State commission aggrieved by an order issued by the Commission in a proceeding under this Act to which such person, State, municipality, or State commission is a party may apply for a rehearing within 30 days after the issuance of such order. The application for rehearing shall set forth specifically the ground or grounds upon which such application is based. Upon such application the Commission shall have power to grant or deny rehearing or to abrogate or modify its order without further hearing. Unless the Commission acts upon the application for rehearing within 30 days after it is filed, such application may be deemed to have been denied. No proceeding to review any order of the Commission shall be brought by any person unless such person shall have made application to the Commission for a rehearing thereon.

(b) Any party to a proceeding under this act aggrieved by an order issued by the Commission in such proceeding may obtain a review of such order in the circuit court of appeals of the United States for any circuit wherein the natural-gas company to which the order relates is located or has its principal place of business, or in the United States Court of Appeals for the District of Columbia, by filing in such court, within 60 days after the order of the Commission upon the application for rehearing, a written petition praying that the order of the Commission be modified or set aside in whole or in part. A copy of such petition shall forthwith be served upon any member of the Commission and thereupon the Commission shall certify and file with the court a transcript of the record upon which the order complained of was entered. Upon the filing of such transcript such court shall have exclusive jurisdiction to affirm, modify, or set aside such order in whole or in part. No objection to the order of the Commission shall be considered by the court unless such objection shall have been urged before the Commission in the application for rehearing unless there is reasonable ground for failure so to do. The finding of the Commission as to the fact, if supported by substantial evidence, shall be conclusive. If any party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the proceedings before the Commission, the court may order such additional evidence to be taken before the Commission and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The Commission may modify its findings as to the facts by reason of the additional evidence so taken, and it shall file with the court such modified or new findings, which if supported by substantial evidence, shall be conclusive, and its recommendation, if any, for the modification or setting aside of the original order. The judgment and decree of the court, affirming, modifying, or setting aside, in whole or in part, any such order of the Commission, shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 346 and 347).

(c) The filing of an application for rehearing under subsection (a) shall not, unless specifically ordered by the Commission, operate as a stay of the Commission's order. The commencement of proceedings under subsection (b) of this section shall not, unless specifically ordered by the court, operate as a stay of the Commission's order.

ENFORCEMENT OF ACT; REGULATIONS AND ORDERS

Sec. 20. (a) Whenever it shall appear to the Commission that any person is engaged or about to engage in any acts or practices which constitute or will constitute a violation of the provisions of this act, or of any rule, regulation, or order thereunder, it may in its discretion bring an action in the proper district court of the United States, the District Court of the United States for the District of Columbia, or the United States courts of any Territory or other place subject to the jurisdiction of the United States, to enjoin such acts or practices and to enforce compliance with this act or any rule, regulation, or order thereunder, and upon a proper showing a permanent or temporary injunction or decree or restraining order shall be granted without bond. The Commission may transmit such evidence as may be available concerning such acts or practices or concerning apparent violations of the Federal antitrust laws to the Attorney

General, who, in his discretion, may institute the necessary criminal proceedings.

(b) Upon application of the Commission the district courts of the United States, the District Court of the United States for the District of Columbia, and the United States courts of any Territory or other place subject to the jurisdiction of the United States shall have jurisdiction to issue writs of mandamus commanding any person to comply with the provisions of this act or any rule, regulation, or order of the Commission thereunder.

(c) The Commission may employ such attorneys as it finds necessary for proper legal aid and service of the Commission or its members in the conduct of their work, or for proper representation of the public interest in investigations made by it, or cases or proceedings pending before it, whether at the Commission's own instance or upon complaint, or to appear for or represent the Commission in any case in court; and the expenses of such employment shall be paid out of the appropriation for the Commission.

GENERAL PENALTIES

SEC. 21. (a) Any person who willfully and knowingly does or causes or suffers to be done any act, matter, or thing in this act prohibited or declared to be unlawful, or who willfully and knowingly omits or fails to do any act, matter, or thing in this act required to be done, or willfully and knowingly causes or suffers such omission or failure, shall, upon conviction thereof, be punished by a fine of not more than \$5,000 or by imprisonment for not more than 2 years, or both.

(b) Any person who willfully and knowingly violates any rule, regulation, restriction, condition, or order made or imposed by the Commission under authority of this act, shall, in addition to any other penalties provided by law, be punished upon conviction thereof by a fine of not exceeding \$500 for each and every day during which such offense occurs.

JURISDICTION OF OFFENSES; ENFORCEMENT OF LIABILITIES AND DUTIES

SEC. 22. The district courts of the United States, the District Court of the United States for the District of Columbia, and the United States courts of any Territory or other place subject to the jurisdiction of the United States shall have exclusive jurisdiction of violations of this act or the rules, regulations, and orders thereunder, and of all suits in equity and actions at law brought to enforce any liability or duty created by, or to enjoin any violation of, this act or any rule, regulation, or order thereunder. Any criminal proceeding shall be brought in the district wherein any act or transaction constituting the violation occurred. Any suit or action to enforce any liability or duty created by, or to enjoin any violation of, this act or any rule, regulation, or order thereunder may be brought in any such district or in the district wherein the defendant is an inhabitant, and process in such cases may be served wherever the defendant may be found. Judgments and decrees so rendered shall be subject to review as provided in sections 128 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 225 and 347). No costs shall be assessed against the Commission in any judicial proceeding by or against the Commission under this act.

SEPARABILITY OF PROVISIONS

SEC. 23. If any provision of this act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of the act, and the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SEC. 24. This act may be cited as the Natural Gas Act.

The CHAIRMAN. Under the rule the Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FADDIS, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 6586, pursuant to House Resolution 242, reported the same back to the House with sundry amendments adopted in Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered. Is a separate vote demanded on any amendment? If not, the Chair will put them en bloc.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

On motion by Mr. LEA, a motion to reconsider the vote by which the bill was passed was laid on the table.

ACQUISITION OF CERTAIN LANDS IN THE YOSEMITE NATIONAL PARK

Mr. DEROUEN. Mr. Speaker, I call up the conference report on the bill H. R. 5394, Report No. 1149, to provide for the acquisition of certain lands in the Yosemite National

Park and for other purposes, and I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. DEROUEN]?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5394) to provide for the acquisition of certain lands for, and the addition thereof to, the Yosemite National Park, in the State of California, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to same.

RENÉ L. DEROUEN,
J. W. ROBINSON,
FRED L. CRAWFORD,

Managers on the part of the House.

ALVA B. ADAMS,
KEY PITTMAN,
HENRY F. ASHURST,
GERALD P. NYE,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5394) to provide for the acquisition of certain lands for, and the addition thereof to, the Yosemite National Park, in the State of California, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House bill (sec. 2) read as follows:

"When title to such of the aforesaid privately owned lands as may be acquired with funds made available therefor has vested in the United States, such lands and all Federally owned lands described in section 1 hereof shall be added to and become a part of the Yosemite National Park and shall be subject to all laws and regulations applicable thereto: *Provided*, That nothing in this act shall be construed to affect any valid existing rights."

The Senate amendment substitutes the following language in lieu of section 2 of the bill as passed by the House:

"When title to the aforesaid privately owned lands has been vested in the United States, all of the lands described in section 1 hereof shall be added to and become a part of the Yosemite National Park and shall be subject to all laws and regulations applicable thereto: *Provided*, That nothing in this act shall be construed to affect any valid existing rights."

The amendment appears to affect no material change in H. R. 5394 and to involve merely a matter of draftmanship, and the purpose thereof is to make H. R. 5394 conform to S. 1791, a similar bill which was passed by the Senate on May 27.

RENÉ L. DEROUEN,
J. W. ROBINSON,
F. L. CRAWFORD,

Managers on the part of the House.

Mr. DEROUEN. Mr. Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

FEDERAL POLICE JURISDICTION OF LAND WITHIN SHENANDOAH NATIONAL PARK

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 7086) to direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. ENGLEBRIGHT. Mr. Speaker, reserving the right to object, to ask the gentleman a question. As I understand, this is for the purpose of having the United States take jurisdiction over the Federal lands in the national park, whereas at the present time you have no authority of law which will provide for the appointment of a United States commission?

Mr. ROBERTSON. Exactly. We are having over 100,000 visitors per month at this park. The Federal Government is patrolling it, but it has no power to enforce its rules and regulations under Federal law. Also, they are anxious to have immediate action on this bill, because the salary of the park commissioner must be provided in the third deficiency bill, which is coming up shortly.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, directed to give notice to the State of Virginia through its Governor, as contemplated by the act of the General Assembly of the State of Virginia approved March 28, 1928, that the United States assumes police jurisdiction over lands lying in the State of Virginia and included within the Shenandoah National Park, title to and exclusive jurisdiction over said lands having been conveyed and ceded under and by authority of said act and accepted by the Secretary of the Interior, saving, however, to the State of Virginia the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State outside of said park; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said park; and saving also to the persons residing in said park now, or hereafter, the right to vote at all elections held within the county or counties in which said park is situated; and saving further to the said State the right to tax sales of gasoline and other motor-vehicle fuels and oil for use in motor vehicles. All the laws applicable to places under sole and exclusive jurisdiction of the United States shall have force and effect in said park. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in the State of Virginia.

SEC. 2. That said park shall constitute a part of the United States judicial district for the western district of Virginia, and the district court of the United States in and for said district shall have jurisdiction of all offenses committed within the boundaries of the said park.

SEC. 3. That all hunting, or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park; nor shall any fish be taken out of any of the waters of the said park, in any other way than by hook and line, and then only at such seasons and at such times and in such manner as may be directed by the Secretary of the Interior. That the Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonderful objects within said park, and for the protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the said park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the said park. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima-facie evidence that the person or persons having same are guilty of violating this act. Any person or persons, or stage or express company, or railway company, who knows or has reason to believe that they were taken or killed contrary to the provisions of this act, and who receives for transportation any of said animals, birds, or fish so killed, caught, or taken, or who shall violate any of the other provisions of this act, or any rule or regulation that may be promulgated by the Secretary of the Interior, with reference to the management and care of the said park, or for the protection of the property therein for the preservation from injury or spoliation of timber, mineral deposits, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, or fish in said park, or who shall within said park commit any damage, injury or spoliation to or upon any building, fence, sign, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than \$500 or imprisonment not exceeding 6 months, or both, and be adjudged to pay all the costs of the proceedings.

SEC. 4. That all guns, traps, nets, seines, teams, horses, or means of transportation of every nature or description, used by any person or persons within the limits of said park when engaged in killing, trapping, ensnaring, taking, or capturing such wild beasts, birds, fish, or animals shall be forfeited to the United States and may be seized by the officers in said park and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this act, and upon conviction under this act of such person or persons using said guns, traps, nets, seines, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other pun-

ishment prescribed in this act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior.

SEC. 5. That upon the recommendation and approval of the Secretary of the Interior of a qualified candidate the United States District Court for the Western District of Virginia shall appoint a commissioner who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes, authorized by this act. Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with the commission of any misdemeanor, or charged with a violation of the rules and regulations, or with a violation of any of the provisions of this act prescribed for the government of said park and for the protection of the animals, birds, and fish in said park and to try the person so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed. In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States District Court for the Western District of Virginia and the United States District Court in the aforementioned district shall prescribe the rules of procedure and practice for said commissioner in the trial of cases and for appeal to said United States District Court.

SEC. 6. That any and all United States commissioners now or hereafter authorized to act within the western district of Virginia and any and all persons who shall hereafter succeed to the duties, powers, and authority of United States commissioners in and for said district shall have full power, authority, and jurisdiction to act, with respect to offenses or violations of law occurring within the limits of the Shenandoah National Park, as the United States commissioner for the Shenandoah National Park may act with respect to offenses or violations of law occurring within the limits of said park.

SEC. 7. That such commissioner shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission within said park of any criminal offense not covered by the provisions of section 3 of this act, to hear the evidence introduced, and, if he is of the opinion that probable cause is shown for holding the person so charged for trial, shall cause such person to be safely conveyed to a secure place of confinement within the jurisdiction of the United States District Court for the Western District of Virginia, and certify a transcript of the record of his proceedings and the testimony in such case to court, which court shall have jurisdiction of the case: *Provided*, That the said commissioner shall grant bail in all cases bailable under the laws of the United States or of said State.

SEC. 8. That processes issued by the commissioner shall be directed to the marshal of the United States for the western district of Virginia, but nothing herein contained shall be so construed as to prevent the arrest by any officer or employee of the Government or any person employed by the United States, without process of any person taken in the act of violating the law or this act or the regulations prescribed by the said Secretary as aforesaid.

SEC. 9. That the commissioner provided for in this act shall be paid an annual salary, as appropriated for by Congress: *Provided*, That the said commissioner shall reside within the exterior boundaries of the Shenandoah National Park or at a place reasonably adjacent to the park, the place of residence to be designated by the Secretary of the Interior: *And provided further*, That all fees, costs, and expenses collected by the commissioner shall be disposed of as provided in section 11 of this act.

SEC. 10. That all fees, costs, and expenses arising in cases under this act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States.

SEC. 11. That all fines and costs imposed and collected shall be deposited by said commissioner of the United States, or the marshal of the United States collecting the same, with the clerk of the United States District Court for the Western District of Virginia.

With the following committee amendment:

Page 2, line 15, after the word "vehicles", insert "The Secretary is further directed to give like notice as to lands hereafter conveyed to the United States under like authority at such time or times as he shall determine to be consistent with the interests of the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. LEA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks on the bill (H. R. 6586) to regulate the transportation and sale of natural gas in interstate commerce, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

GOVERNMENT REORGANIZATION

Mr. FRED M. VINSON, on behalf of the gentleman from Utah [Mr. ROBINSON], presented a privileged report on the bill (H. R. 7730) to authorize the President to appoint not to exceed six administrative assistants, which was referred to the Union Calendar and ordered printed.

EXTENSION OF REMARKS

Mr. COLE of Maryland. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed, dealing with interstate transportation and sale of natural gas and to include therein extracts from the hearings and certain citations on the legal aspects of the question.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

(Mr. FITZGERALD, Mr. MAVERICK, Mr. CROSSER, and Mr. CREAL asked and were given permission to revise and extend their own remarks.)

Mr. KITCHENS. Mr. Speaker, I ask unanimous consent to extend my own remarks on the bill H. R. 7051.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent to extend in the RECORD my own remarks recently made in Boston.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1938

Mr. JOHNSON of Oklahoma. Mr. Speaker, I submit a conference report and statement on the bill (H. R. 6958) making appropriations for the Department of the Interior for the fiscal year 1938 for printing in the RECORD under the rule.

LAURA E. ALEXANDER

Mr. WEAVER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3259) for the relief of Laura E. Alexander, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read as follows:

Senate amendment: Page 1, line 6, strike out "\$6,349" and insert "\$5,000."

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman tell us the effect of the amendment?

Mr. WEAVER. The amendment simply reduces the amount carried by the House bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

TERM OF COURT AT LIVINGSTON, MONT.

Mr. WEAVER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4795) to provide for a term of court at Livingston, Mont., with a Senate amendment and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read as follows:

Senate amendment: Page 1, line 9, after "Havre", insert: "Miles City."

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, what is the effect of this change?

Mr. WEAVER. This bill, I may say to the gentleman from Massachusetts, was introduced by the gentleman from Montana [Mr. O'CONNOR] to provide for a term of court at Livingston. The Senate added another place, Miles City. I may say to the gentleman, however, that provision is made

that the United States shall not bear any of the expense in regard to it.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 6635. An act to dispense with the necessity for insurance by the Government against loss or damage to valuables in shipment, and for other purposes;

H. R. 6692. An act making appropriations for the Military Establishment for the fiscal year ending June 30, 1938, and for other purposes;

H. R. 7726. An act making appropriations for the first half of the month of July 1937, for certain operations of the Federal Government which remain unprovided for on July 1, 1937, through the failure of enactment of the supply bills customarily providing for such operations; and

H. J. Res. 433. Joint resolution making appropriations for the fiscal year ending June 30, 1938, for the Civilian Conservation Corps, the railroad retirement account, and other activities, and for other purposes.

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 2156. An act to amend the act relating to the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, approved June 10, 1930, and for other purposes;

S. 2620. An act to amend the Hawaiian Homes Commission Act, 1920;

S. 2621. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue sewer bonds;

S. 2622. An act to authorize the Legislature of the Territory of Hawaii to create a public corporate authority authorized to engage in slum clearance and housing undertakings and to issue bonds of the authority, to authorize said legislature to provide for financial assistance to said authority by the Territory and its political subdivisions, and for other purposes;

S. 2652. An act to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes; and

S. 2653. An act to amend an act entitled "An act to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes", approved August 3, 1935.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 563. An act for the relief of E. W. Garrison;

H. R. 607. An act for the relief of Dorothy McCourt;

H. R. 1235. An act for the relief of John Brennan;

H. R. 1310. An act for the relief of Clifford R. George and Mabel D. George;

H. R. 1406. An act for the relief of Frank S. Walker;

H. R. 1689. An act for the relief of Dominga Pardo;

H. R. 1731. An act for the relief of Angelo and Auro Cattaneo;

H. R. 1761. An act for the relief of Paul J. Francis;

H. R. 1851. An act for the relief of W. D. Davis;

H. R. 2404. An act for the relief of James Philip Coyle;

H. R. 2482. An act for the relief of Lonnie O. Ledford;

H. R. 2703. An act to provide for the representation of the United States Court of Appeals for the District of Columbia on the annual conference of senior circuit judges;

H. R. 2757. An act to carry out the findings of the Court of Claims in the claim of the Morse Dry Dock & Repair Co.;

H. R. 2774. An act for the relief of certain employees of the Division of Investigation, Department of the Interior, and certain disbursing officers of the Department of the Interior;

H. R. 2934. An act for the relief of Raymond E. Payne and Anna R. Payne;

H. R. 2983. An act for the relief of Mr. and Mrs. J. C. Porter;

H. R. 3002. An act for the relief of Timothy Joseph McCarthy;

H. R. 3075. An act for the relief of E. P. Lewis;

H. R. 3123. An act to authorize the Secretary of War to lease to Old Fort Niagara Association, Inc., portions of the Fort Niagara Military Reservation, N. Y.;

H. R. 3262. An act for the relief of John H. Wykle;

H. R. 3284. An act to transfer Crawford County, Iowa, from the southern judicial district of Iowa to the northern judicial district of Iowa;

H. R. 3339. An act for the relief of Allie Rankin;

H. R. 3565. An act for the relief of the Northwestern Ohio Mutual Rodded Fire Insurance Co.;

H. R. 3809. An act for the relief of H. E. Wingard;

H. R. 3967. An act for the relief of Adele Fowlkes;

H. R. 4623. An act for the relief of C. O. Eastman;

H. R. 4679. An act for the relief of John L. Summers, former disbursing clerk, Treasury Department; and Frank White, G. F. Allen, H. T. Tate, and W. O. Woods, former Treasurers of the United States;

H. R. 4682. An act for the relief of W. R. Fuchs;

H. R. 4711. An act to extend the times for commencing and completing the construction of a bridge across Puget Sound at or near a point commonly known as The Narrows in the State of Washington;

H. R. 4942. An act for the relief of A. L. Mallery;

H. R. 5102. An act for the relief of Mr. and Mrs. Frank Muzio;

H. R. 5258. An act for the relief of the Jackson Casket & Manufacturing Co.;

H. R. 5337. An act for the relief of Charles B. Murphy;

H. R. 5438. An act for the relief of Richard T. Edwards;

H. R. 5496. An act for the relief of Willard Webster;

H. R. 5652. An act for the relief of Frank A. Smith;

H. R. 5848. An act to extend the times for commencing and completing the construction of a bridge across the Wabash River at or near Merom, Sullivan County, Ind.;

H. R. 6049. An act to amend the Interstate Commerce Act;

H. R. 6144. An act to amend the Canal Zone Code;

H. R. 6230. An act for the relief of certain former disbursing officers of the Veterans' Administration and of the Bureau of War Risk Insurance, Federal Board for Vocational Education, and the United States Veterans' Bureau (now Veterans' Administration);

H. R. 6285. An act authorizing the State Roads Commission of the State of Maryland and the State Road Commission of the State of West Virginia to construct, maintain, and operate a free highway bridge across the Potomac River in Washington County, Md., at or near a point opposite Shepherdstown, W. Va., and a point at or near Shepherdstown, Jefferson County, W. Va., to take the place of a bridge destroyed by flood;

H. R. 6286. An act authorizing the State Roads Commission of the State of Maryland and the State Road Commission of the State of West Virginia to construct, maintain, and operate a free highway bridge across the Potomac River at or near a point in the vicinity of Hancock, in Washington County, Md., and a point near the north end of Morgan County, W. Va., to take the place of a bridge destroyed by flood;

H. R. 6292. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Niobrara, Nebr.;

H. R. 6436. An act authorizing cash relief for certain employees of the Panama Canal not coming within the provisions of the Canal Zone Retirement Act;

H. R. 6494. An act to extend the times for commencing and completing the construction of a bridge across the Snake River, between Clarkston, Wash., and Lewiston, Idaho;

H. R. 6692. An act making appropriations for the Military Establishment for the fiscal year ending June 30, 1938, and for other purposes;

H. R. 6763. An act to extend for 1 additional year the 3½-percent interest rate on certain Federal land bank loans, to provide a 4-percent interest rate on such loans for the period July 1, 1938, to June 30, 1939, and to provide for a 4-percent interest rate on land bank commissioner's loans for a period of 2 years;

H. R. 7021. An act validating and confirming certain mineral patents issued for lands situated in township 5 south, range 15 east, Montana principal meridian, in the State of Montana;

H. R. 7726. An act making appropriations for the first half of the month of July 1937 for certain operations of the Federal Government which remain unprovided for on July 1, 1937, through the failure of enactment of the supply bills customarily providing for such operations;

H. J. Res. 41. Joint resolution authorizing the disposal of certain lands held by the Panama Railroad Co. on Manzanillo Island, Republic of Panama;

H. J. Res. 349. Joint resolution authorizing certain retired officers or employees of the United States to accept such decorations, orders, medals, or presents as have been tendered them by foreign governments; and

H. J. Res. 433. Joint resolution making appropriations for the fiscal year ending June 30, 1938, for the Civilian Conservation Corps, the railroad retirement account, and other activities, and for other purposes.

ADJOURNMENT

Mr. LEA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned until tomorrow, Friday, July 2, 1937, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold a public hearing in room 219, House Office Building, Wednesday, July 7, 1937, at 10 a. m., on H. R. 7158, to except yachts, tugs, towboats, and unrigged vessels from certain provisions of the act of June 25, 1936, as amended.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE—POSTPONED

The meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Wednesday, July 7, 1937, on H. R. 5182, and H. R. 6917—textile bills—is postponed until 10 a. m., Thursday, July 8, 1937.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

696. A letter from the Secretary of Commerce, transmitting the draft of a bill to define certain units and to fix the standard of weights and measures in the United States; to the Committee on Coinage, Weights, and Measures.

697. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill to make available for national-park purposes certain lands within the boundaries of the proposed Isle Royale National Park, Mich.; to the Committee on the Public Lands.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KELLER: Committee on the Library. H. R. 7564. A bill to permit the erection of the Shenandoah Memorial in or near Ava, Ohio; without amendment (Rept. No. 1175).

Referred to the Committee of the Whole House on the state of the Union.

Mr. GREEVER: Committee on Irrigation and Reclamation. H. R. 7680. A bill to authorize the construction of a Federal reclamation project to furnish a water supply for the lands of the Arch Hurley conservation district in New Mexico; without amendment (Rept. No. 1176). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Select Committee on Government Organization. H. R. 7730. A bill to authorize the President to appoint not to exceed six administrative assistants; without amendment (Rept. No. 1177). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. CASE of South Dakota: Committee on Claims. H. R. 2649. A bill for the relief of Elva T. Shuey; without amendment (Rept. No. 1157). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. H. R. 3723. A bill for the relief of Milton S. Merrill; with amendment (Rept. No. 1160). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 3757. A bill for the relief of Rellie Dodgen; with amendment (Rept. No. 1159). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 3776. A bill for the relief of T. T. East and the Cassidy Southwestern Commission Co., citizens of the State of Texas; without amendment (Rept. No. 1160). Referred to the Committee of the Whole House.

Mr. ATKINSON: Committee on Claims. H. R. 5615. A bill for the relief of Capt. B. B. Barbee; with amendment (Rept. No. 1161). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 5912. A bill for the relief of Judd & Detweiler, Inc.; with amendment (Rept. No. 1162). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 5927. A bill for the relief of Walter G. Anderson; with amendment (Rept. No. 1163). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 7172. A bill for the relief of Jesse A. LaRue; with amendment (Rept. No. 1164). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 7316. A bill to extend the benefits of the United States Employees' Compensation Act of September 7, 1916, to Ethel Smith McDaniel; with amendment (Rept. No. 1165). Referred to the Committee of the Whole House.

Mr. RYAN: Committee on Claims. H. R. 7458. A bill for the relief of John E. T. Clark; without amendment (Rept. No. 1166). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 7679. A bill for the relief of Livvie V. Rowe; without amendment (Rept. No. 1167). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. S. 184. An act for the relief of Josephine M. Scott; without amendment (Rept. No. 1168). Referred to the Committee of the Whole House.

Mr. DREW of Pennsylvania: Committee on Claims. S. 826. An act for the relief of the estates of H. Lee Shelton and Mrs. H. Lee Shelton, Mrs. J. R. Scruggs, and Mrs. Irvin Johnson; with amendment (Rept. No. 1169). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. S. 1219. An act for the relief of Pauline McKinney; with amendment (Rept. No. 1170). Referred to the Committee of the Whole House.

Mr. CARLSON: Committee on Claims. S. 1401. An act for the relief of Willard Collins; with amendment (Rept. No. 1171). Referred to the Committee of the Whole House.

Mr. RYAN: Committee on Claims. S. 1640. An act for the relief of Harry Bryan and Alda Duffield Mullins, and others; with amendment (Rept. No. 1172). Referred to the Committee of the Whole House.

Mr. DREW of Pennsylvania: Committee on Claims. S. 1822. An act for the relief of Harry Burnett; without amendment (Rept. No. 1173). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. S. 2399. An act for the relief of R. L. McLachlan; without amendment (Rept. No. 1174). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on World War Veterans' Legislation was discharged from the consideration of the bill (H. R. 5878) to authorize the payment of the adjusted-service credit of William Francis Powers to his sister, and the same was referred to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FORAND: A bill (H. R. 7739) to increase the hourly rates of pay for charmen and charwomen in the custodial service of the Post Office Department; to the Committee on the Post Office and Post Roads.

By Mr. RAMSPECK (by request): A bill (H. R. 7740) to amend the Classification Act of 1923 (Public, No. 516, 67th Cong.) as amended; to the Committee on the Civil Service.

By Mr. DOUGHTON: A bill (H. R. 7741) to amend the Adjusted Compensation Payment Act, 1936, to provide for the escheat to the United States of certain amounts; to the Committee on Ways and Means.

By Mr. McREYNOLDS: Joint Resolution (H. J. Res. 437), to amend an act entitled "An act to establish a commission for the settlement of the special claims comprehended within the terms of the convention between the United States of America and the United Mexican States concluded April 24, 1934", approved April 10, 1935, and to redefine the jurisdiction of the Special Mexican Claims Commission in certain particulars; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACON: A bill (H. R. 7742) for the relief of James Peter Kalogris; to the Committee on Claims.

By Mr. BARRY: A bill (H. R. 7743) to correct the military record of Emil Bayer; to the Committee on Military Affairs.

By Mr. BOYLAN: A bill (H. R. 7744) for the relief of Frank J. Farrish; to the Committee on Claims.

By Mr. CULKIN: A bill (H. R. 7745) for the relief of H. H. Burnham and James W. Hagan; to the Committee on Claims.

Also, a bill (H. R. 7746) granting an increase of pension to Martha J. Brownell; to the Committee on Invalid Pensions.

By Mr. FLETCHER: A bill (H. R. 7747) granting an increase of pension to Jane A. Richardson; to the Committee on Pensions.

By Mr. HAVENNER: A bill (H. R. 7748) for the relief of William Edgar Taylor; to the Committee on Naval Affairs.

By Mr. LEWIS of Colorado: A bill (H. R. 7749) granting a pension to Elizabeth L. Lloyd; to the Committee on Invalid Pensions.

By Mr. MURDOCK of Arizona: A bill (H. R. 7750) to compensate Haldor S. Dever for injuries received on account of a collision with a Government truck, at or near San Carlos Indian Reservation; to the Committee on Claims.

Also, a bill (H. R. 7751) to compensate the heirs-at-law of Eleanor Dalrymple, deceased, for alleged wrongful death of Eleanor Dalrymple, on account of a collision with a Government truck, at or near San Carlos Indian Reservation; to the Committee on Claims.

Also, a bill (H. R. 7752) to compensate the heirs-at-law of Gilda Lipp, deceased, for alleged wrongful death of Gilda Lipp, on account of a collision with a Government truck, at or near San Carlos Indian Reservation; to the Committee on Claims.

By Mr. ROBSION of Kentucky: A bill (H. R. 7753) granting a pension to Addie Higginbotham; to the Committee on Pensions.

By Mr. THURSTON: A bill (H. R. 7754) granting an increase of pension to Eva P. Black; to the Committee on Invalid Pensions.

By Mr. WITHROW: A bill (H. R. 7755) granting an increase of pension to Margaret H. Jones; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2818. By Mr. BOYLAN of New York: Petition of residents of New York City, opposing change in Supreme Court by legislation without constitutional amendment; to the Committee on the Judiciary.

2819. Also, resolution adopted by the Board of Estimate and Apportionment of the City of New York, approving and urging the passage of House bill 6841; to the Committee on Agriculture.

2820. By Mr. BUCK: Senate Joint Resolution No. 25, in the nature of a memorial, of the Legislature of the State of California, memorializing the President and the Congress of the United States to protect the rights of the State of California to its tidelands and the coastal area lying seaward of the State of California; to the Committee on the Public Lands.

2821. By Mr. COLDEN: Resolution adopted by the Sacramento Americanization Assembly, Sacramento, Calif., opposing the admission of the Territory of Hawaii to statehood; to the Committee on the Territories.

2822. By Mr. FORAND: Petition of the Retail Tobacco Dealers of America, Inc., favoring the enactment into law of House bill 6791, a bill to prohibit travelers from bringing into the United States more than 50 cigars duty free; to the Committee on Ways and Means.

2823. By Mr. GILDEA: Resolution of the Pennsylvania Pharmaceutical Association, urging the enactment of the Tydings-Miller Fair Trade Enabling Act; to the Committee on the Judiciary.

2824. Also, resolution of the thirty-third convention of the Brotherhood of Locomotive Firemen and Enginemen, supporting necessary legislation to fully protect the children of today and years to come by enactment of child-labor legislation; to the Committee on Labor.

2825. Also, resolution of the thirty-third convention of the Brotherhood of Locomotive Firemen and Enginemen, endorsing the Honorable Franklin D. Roosevelt's court reform program; to the Committee on the Judiciary.

2826. By Mr. HILDEBRANDT: Petition protesting against the Sheppard-Hill bill; to the Committee on Military Affairs.

2827. Also, resolution regarding crop control and soil conservation; to the Committee on Agriculture.

2828. By Mr. HOOK: Resolution forwarded by John Stone, as chairman of the Finnish American Clubs of the Upper Peninsula of Michigan, urging the Congress of the United States to adopt the amendment to Senate Joint Resolution No. 135, so that Finland and the Finnish people may be invited to participate in the tercentenary celebration of the first permanent settlement of the Delaware River Valley in June 1938; to the Committee on Foreign Affairs.

2829. By Mr. KRAMER: Resolution of the City Council of the city of Los Angeles, relative to relief appropriations, etc.; to the Committee on Appropriations.

2830. Also, resolution of the Brotherhood of Locomotive Firemen and Enginemen, relative to child labor, etc.; to the Committee on Labor.

SENATE

FRIDAY, JULY 2, 1937

(Legislative day of Tuesday, June 15, 1937)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, July 1, 1937, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Latta, one of his secretaries.

ORDER FOR RECESS TO TUESDAY

Mr. ROBINSON. I ask unanimous consent that when the Senate concludes its labors today it adjourn until 12 o'clock noon on Tuesday next.

Mr. McCARRAN. Mr. President, may I ask a question of the Senator?

Mr. ROBINSON. Certainly.

Mr. McCARRAN. I am not familiar with the rule, and I must apologize for my ignorance in the matter. If a measure is taken up today as the unfinished business and is not disposed of, does that mean that it goes over until Tuesday as the unfinished business for that day?

Mr. ROBINSON. Yes; it would. Any measure before the Senate today and not disposed of at the time of adjournment would be the unfinished business on the reassembling of the Senate on Tuesday.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Arkansas that when the Senate concludes its work today it take a recess until Tuesday next? The Chair hears none, and it is so ordered.

CALL OF THE ROLL

Mr. ROBINSON. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Chavez	King	Radcliffe
Andrews	Connally	La Follette	Robinson
Ashurst	Copeland	Lewis	Schwartz
Austin	Davis	Logan	Schwellenbach
Bailey	Donahay	Loneragan	Sheppard
Bankhead	Ellender	Lundeen	Steiwer
Barkley	Frazier	McAdoo	Thomas, Okla.
Berry	Glass	McCarran	Thomas, Utah
Bilbo	Guffey	McGill	Townsend
Black	Hale	McKellar	Truman
Bone	Harrison	McNary	Tydings
Borah	Hatch	Minton	Vandenberg
Brown, N. H.	Hayden	Murray	Van Nuys
Bulow	Herring	O'Mahoney	Wheeler
Burke	Hitchcock	Overton	White
Byrd	Hughes	Pepper	
Capper	Johnson, Calif.	Pittman	
Caraway	Johnson, Colo.	Pope	

Mr. MINTON. I announce that the Senator from Connecticut [Mr. MALONEY] is absent because of illness.

The Senator from Michigan [Mr. BROWN], the Senator from Ohio [Mr. BULKLEY], the junior Senator from South Carolina [Mr. BYRNES], the Senator from Missouri [Mr. CLARK], the Senator from Illinois [Mr. DIETERICH], the Senator from Wisconsin [Mr. DUFFY], the senior Senator from Georgia [Mr. GEORGE], the senior Senator from Rhode Island [Mr. GERRY], the Senator from Iowa [Mr. GILLETTE], the junior Senator from Rhode Island [Mr. GREEN], the Senator from West Virginia [Mr. HOLT], the Senator from Oklahoma [Mr. LEE], the senior Senator from New Jersey [Mr. MOORE], the Senator from West Virginia [Mr. NEELY], the Senator from North Carolina [Mr. REYNOLDS], the